

Quarterly of the California Historical Society

	PAGE
Camels in California.....	299
A. A. Gray	
The Dollart Case.....	318
A. A. Gray	
Camels in the Sketches of Edward Vischer.....	332
Francis P. Farquhar	
A Contribution Towards a Bibliography of the Camel.....	336
With Particular Reference to the Introduction of Camels into the United States and the Camel Pack Trains in the Western Mining Camps William S. Lewis	
With Additions by A. A. Gray and Francis P. Farquhar	
"California's Bantam Cock" —	
The Journals of Charles E. De Long, 1854-1863.....	345
(Continued)	
Edited by Carl I. Wheat	
The Source of the Sutter Myth.....	398
Erwin Gustav Gudde	
Reviews and Notices.....	400
Western History — A Check List of Recent Publications relating to California and the West.....	403
Meetings of the Society.....	407
New Members.....	408

Vol. IX, No. 4

December, 1930

CALIFORNIA HISTORICAL SOCIETY

Incorporated March 6, 1886

Reorganized March 27, 1922

BOARD OF DIRECTORS

C. O. G. Miller, *President*

Robert E. Cowan, *First Vice-President*

Sidney M. Ehrman, *Second Vice-President*

E. J. Molera, *Third Vice-President*

Anson S. Blake, *Secretary and Treasurer*

Charles L. Camp

George D. Lyman

Frederick C. Clift

Helen Throop Pratt

Templeton Crocker

H. D. B. Soulé

Boutwell Dunlap

D. Q. Troy

Francis P. Farquhar

Carl I. Wheat

COMMITTEE ON PUBLICATION

Carl I. Wheat, *Chairman*

Charles L. Camp

Francis P. Farquhar

Robert E. Cowan

Stella Huntington

Templeton Crocker

Garfield D. Merner

Charles P. Cutten

Helen Throop Pratt

COMMITTEE ON EXHIBITIONS

Fred M. DeWitt, *Chairman*

Anson S. Blake

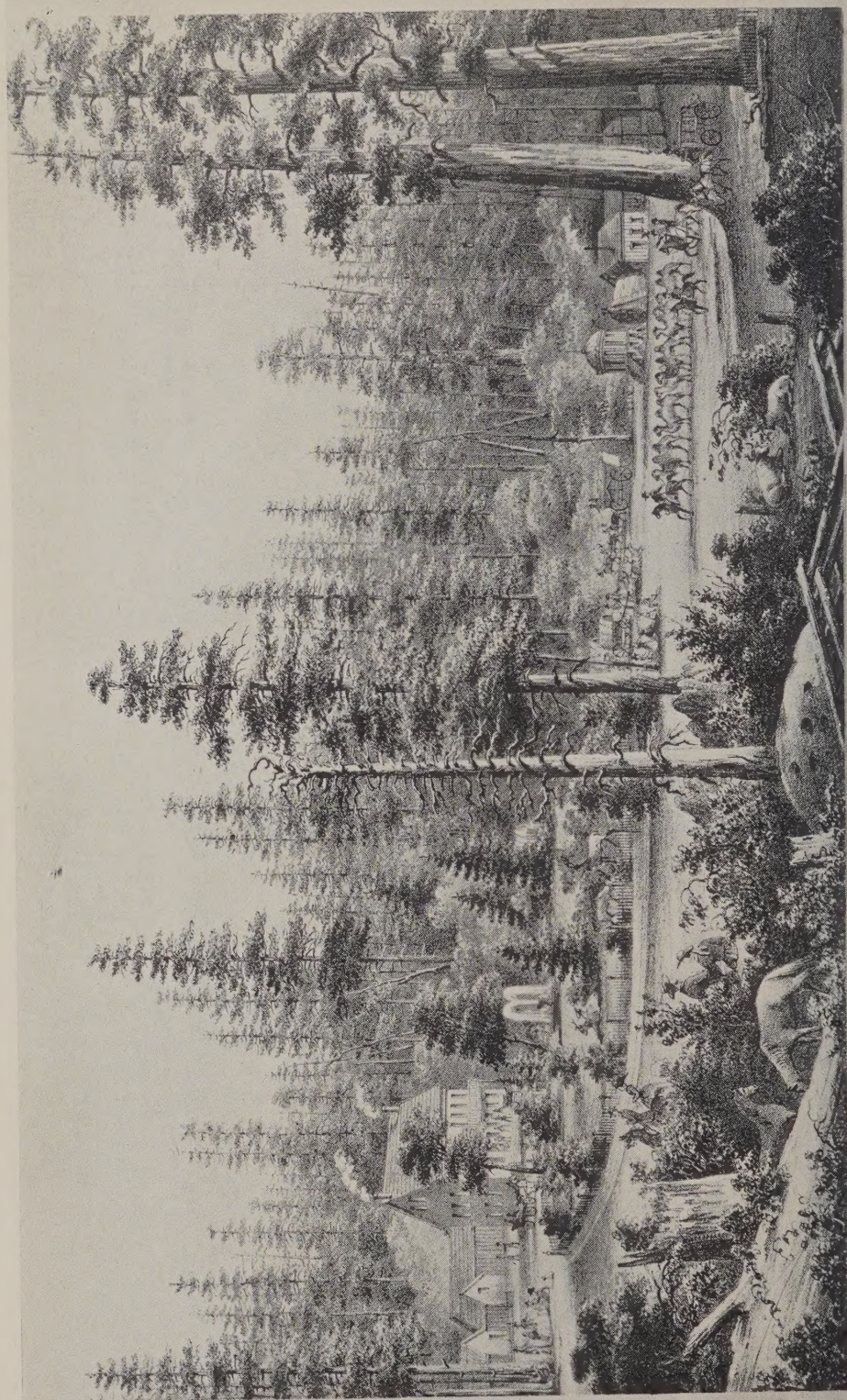
Elizabeth W. Latham

Alexander T. Leonard, Jr.

D. Q. Troy

Office: Room 301, 609 Sutter Street, San Francisco

Corresponding Secretary: Dorothy H. Huggins



12. THE MAMMOTH GROVE HOTEL, GROUNDS, AND GENERAL VIEW OF THE FOREST.

Quarterly of the California Historical Society

CAMELS IN CALIFORNIA*

By A. A. GRAY

At the close of the Mexican War in 1848, the United States added 529,000 square miles to its territory. The acquisition of this area created many new and difficult problems for the national government, of which the most important was the establishment and the maintenance of an adequate transportation system. The newly acquired territory contained no railroads, and there was little prospect in 1850 that a railroad would reach California from the East within the next half century. The importance of binding California closer to the East, economically and politically, was early recognized by the federal government, and when Congress was called upon to increase its appropriations to care for the frontier conditions that existed in the new country, great interest was manifested in providing a cheaper and a more rapid communication to the Coast. The Secretary of War complained of the mounting costs of transportation, which he attributed to the "well known dangerous character of the maritime frontier" in the West.¹

The ever-increasing appropriations needed to provide transportation from the Missouri River to the Coast more than any other consideration probably influenced Congress to import camels. The entire sum expended by the Quartermaster's department of the Army in 1844 was \$871,000; six years later it was five times this amount, though the size of the Army had increased only one-half. This enormous increase was caused "by the vast extension of our territory."² The Army used nearly ten times as many mules, horses, and oxen in 1851 as it had in 1845.³ To maintain a better system of transportation and communication in the Coast country, the Pacific Coast Division of the Army, among the numerous items of equipment requested in 1850, asked for 8,000 horse shoes and 10,000 mule shoes.⁴ To support the additional military posts,

* Much has been written on the subject of the camel caravans of the early West, but the material on this important subject has remained scattered through many books and more ephemeral publications. It is therefore with particular gratification that we publish the series of articles which follow. Mr. Gray has outlined the story of the camels and their introduction into California, and his researches have brought to light for the first time the records of the importation of Asiatic camels on the Bark *Dollart* in 1861-62, from the records of the District Court of the United States, in whose files they have lain undisturbed for almost seventy years. Mr. Farquhar has added a word respecting Vischer's important contemporary camel sketches and descriptions, and Mr. Lewis has contributed a valuable bibliography, to which Messrs. Gray and Farquhar have added certain items discovered by them during their research on this subject. — Carl I. Wheat.

¹ Sen. Ex. Doc., 29 Cong., 1 Sess., Doc. 1, p. 224.

² Sen. Ex. Doc., 31 Cong., 2 Sess., Doc. 1, p. 210.

³ Sen. Ex. Doc., 32 Cong., 1 Sess., Doc. 1, p. 218.

⁴ Report of the Secretary of War, Dec. 2, 1850, p. 269.

to protect the emigrant from Indian attacks, to establish new roads, to insure a safe and rapid transit of the mails and to explore and survey the country obtained from Mexico called for a continual outlay of large sums of money to purchase animals and equipment. The Secretary of War said in 1850 that more than 10,000 horses and mules would be required solely for transportation purposes, for mounting guides, for escorts, and for spies in covering the Southwest and California.⁵ The cost of hay, grain, and fodder for each animal used in the Army rose from \$3.51 per month in 1845 to nearly ten dollars in 1851, and the total amount spent in caring for all animals that were used for military activities in 1850 was more than twelve times what it was in 1845.⁶

To those heavy expenditures must be added the cost of carrying the mails westward. The government paid \$100,000 in 1852 to send the mail once a month by water from New York to San Francisco.⁷ A monthly overland mail service from Independence, Missouri, to Stockton, California, cost \$80,000 for nine months. Considerable money was used also in rescuing stranded emigrants en route to California. In 1850, the government paid \$100,000 to rescue one party, exclusive of the money spent to purchase animals and wagons for the undertaking.⁸ In the same year, \$50,000 was spent to save another overland party.

PUBLIC INTEREST IN THE QUESTION

These costly and difficult frontier conditions brought many suggestions from various sources that camels should be used on the far western plains for travel, for carrying freight and mail, for protection against the Indians, and for military purposes. Those best acquainted with the camel thought that its use would reduce the high cost of transportation and hasten the settlement of the West. It was believed that much of the country west of Utah and New Mexico would never be developed without the use of camels, and the newspapers of the late forties often mentioned the possibilities of using camels as a means of quick and economical travel in the isolated West.⁹ But it was not until the country obtained from Mexico was being rapidly settled that the idea of using camels for commercial and military purposes received any serious consideration from government officials. One of the first suggestions about introducing camels to the West came from Major Henry C. Wayne.¹⁰ He had served as an officer in

⁵ Sen. Ex. Doc., 31 Cong., 2 Sess., Doc. 1, p. 122.

⁶ Sen. Ex. Doc., 32 Cong., 1 Sess., Doc. 1, p. 218.

⁷ *Ibid.*, Doc. 50, p. 19.

⁸ Sen. Ex. Doc., 31 Cong., 2 Sess., Doc. 1, p. 258.

⁹ Twentieth Annual Report of the Bureau of Animal Industry, U. S. Department of Agriculture, 1903, p. 392.

¹⁰ Wayne was a southerner, and was graduated from West Point in 1838. For the next three years, he served as a lieutenant in the United States Army on the northwest frontier. He was assistant quartermaster in the Mexican War, and at the close of the war was appointed to a position in the Quartermaster General's Office in Washington, D. C., where he remained until 1855. At the outbreak of the Civil War, he joined the Southern forces. Wayne said in 1857 that he had never entertained the idea that the benefits to be derived from the introduction of camels in America could be realized in his day. He regarded the military advantages of using camels of little moment as compared to the great gains in using them in trade and commerce throughout the interior of the continent. See Sen. Ex. Doc., 34 Cong., 3 Sess., Doc. 62, p. 196.

the Mexican War and was well acquainted with the frontier conditions of the Southwest. In 1848 he recommended to the War Department that camels be imported to be used in transportation in the West and in the military units of the Southwest, presenting his plan to members of Congress. He continued to study the habits and the nature of the camel, with special reference to its fitness in America, and in a letter to Jefferson Davis, Secretary of War, dated November 21, 1853, he discussed the qualities of the camel and urged the Secretary to give the animal a trial in the western section of the United States.¹¹

More than two years prior to this time Davis, then a Senator and Chairman of the Senate Committee on Military Affairs, had recommended the appropriation of \$30,000 to purchase and import fifty camels, and while the subject was before Congress, he had been strongly supported in his belief respecting the utility of the camel by several influential government officials and by public discussion of the subject. The Commissioner of Patents, Charles Mason, in writing about the value of domestic animals, under the subject of agriculture, in 1853, gave his approval regarding the importation of camels. In speaking of the possible use of them in the far western portions of the United States, he wrote that the question "has long been viewed as a matter of much national importance, particularly since the establishment of the overland routes, requiring mingled mountain and desert service between the Atlantic States and California or Oregon."¹² He also thought that from the nature of the country and from the necessity of extensive communications with the coast country, the demand for camels would be increased rather than decreased by the construction of a possible transcontinental railroad. John Russell Bartlett, who was commissioned in 1848 by President Polk to survey the boundary between the United States and Mexico, was also convinced, from his wide and varied experience in the Southwest, that satisfactory communication would never be established in that section without the use of camels. After working more than three years in the deserts of New Mexico, Arizona and California, he became an ardent advocate of the introduction of these animals to establish a safe and rapid transit from California to the East, and was sure that horses and mules could never be used to any practical advantage in the desert because foliage was so scarce, and because they would not drink brackish water. Camels would eat any kind of desert vegetation and thrive on brackish water, which was the only kind found in certain portions of the Southwest. Bartlett concluded his remarks relative to using camels in the country so recently acquired from Mexico by saying that, "the entire route from the Mississippi to California, particularly that south of Santa Fe by the Gila, where there are no mountains to cross; and also, the great highways over the tablelands of Mexico, are well adapted to his habits."¹³

A noteworthy lecture, delivered by George P. Marsh in 1854, before the

¹¹ Rowland, Dunbar: *Jefferson Davis, Constitutionalist; His Letters, Papers and Speeches*. Vol. II, p. 288.

¹² Sen. Ex. Doc., 33 Cong., 1 Sess., Doc. 27, p. 1.

¹³ Bartlett, John Russell: *Personal Narrative of Explorations and Incidents in Texas, New Mexico, California, [etc.]* Vol. II, p. 576-584.

Smithsonian Institute, created widespread interest in the possibility of using camels in the country. Marsh discussed fully the breeding and raising of camels and pointed out their use in domestic and commercial life. He explained how they were used in foreign countries, and said that those who knew best their habits and endurance and who were the most familiar with the country beyond the Mississippi were of one mind as to the possible success of working them in the West.¹⁴ All such persons were agreed that this ugly, docile, shambling, sleepy brute would solve all the difficulties of transportation in America.

Public discussion of the question and various reports from officials of the government kept the subject before Congress and the President and stimulated private enterprise to consider the importation of camels. Some capitalists of New York formed a company for the purpose of importing camels and developing trade and travel in the West. They were granted a liberal charter by the state of New York and were incorporated under the name of "The American Camel Company." The continual clamor from the citizens of California for a quicker and cheaper means of transportation, the interest taken by many officers of the Army, the activities of private concerns considering the importation of camels and the renewed efforts of Secretary Davis finally bore fruit in the passage of a bill in Congress in March, 1855, carrying an appropriation of \$30,000 to be used by the War Department for "the purchase and importation of camels and dromedaries to be employed for military purposes."

THE ARRIVAL OF THE CAMELS

No time was lost in arranging for the novel experiment. On April 2, Davis appointed Major R. Delafield, Major A. Mordecai and Captain George B. McClellan, who led the Northern Army a few years later against the Confederate forces, to make a study of the military practices as found in European countries. They were instructed to give careful attention to the places where camels were used for transportation, in military activities, and in "cold and mountainous countries." Davis was very careful to select the most competent men to carry out his project. He commissioned Major Wayne, who had been in Egypt, to purchase the animals. The Navy Department furnished Wayne with a ship, under the command of Lieutenant David D. Porter, who also distinguished himself later in the Civil War.

These young officers set sail for their curious cargo in May, 1855.¹⁵ They left Egypt on February 15, 1856, with thirty-five camels, having purchased them at an average price of \$250 each. The storeship *Supply* landed at Indianola, Texas, on May 14, with the animals as strong and healthy as when they left Egypt. Another trip was made, and this time forty-one camels were safely landed in Texas on February 10, 1857, after a stormy voyage of eighty-eight days from Egypt. The animals were kept near San Antonio, Texas, and for a while were used in carrying supplies and equipment between army posts, in

¹⁴ Ninth Annual Report of the Smithsonian Institution, 1855, p. 116.

¹⁵ Sen. Ex. Doc., 34 Cong., 3 Sess., Doc. 62, p. 148-163, gives the official correspondence concerning the purchase and importation of the camels.

making short scouting trips about the country and in doing some heavy hauling in the construction of roads. After the camels had become accustomed to the climate and after the Army officers had learned how to pack and to manage them, the Secretary of War, John B. Floyd, commissioned Edward Fitzgerald Beale to open up a wagon road from Fort Defiance, New Mexico, to southern California and to use camels in the expedition.¹⁶ Floyd selected the time of year when there is least moisture and vegetation in the arid regions and when the heat is most intense and the streams driest. He wanted the camels put through the most gruelling test.

Beale left San Antonio June 25, 1857, with twenty-eight camels. He arrived at the Colorado River, by way of El Paso, October 14. The animals were in as good condition as when they left. The trip to the Colorado had been a very testing one, but Beale's greatest trial was ahead of him—how to get the camels across the Colorado. He followed the bank of the turbulent river for several days until he came to the Mohave Indian villages, where he decided to attempt a crossing. He had worried about this during his entire trip. All his reading about the camel told him that the animal was no swimmer. He carried in his pocket a book by Father Huc, describing his travels in the Orient, in which he explains his frequent delays while crossing China by the fact that camels refused to swim rivers.¹⁷ How to get beyond this treacherous stream taxed all of Beale's ingenuity. Being a man of wide practical experience, he first tried the easiest and simplest way. He led one of the animals to the edge of the muddy stream. It refused to go further, gazing stupidly into the water. Beale then tried a second camel, "one of the largest and finest." With a little coaxing, it took to

¹⁶ Beale deserves to be classed with Kit Carson and others as a pathfinder of the West. He went to sea at fourteen and later joined the Navy. He resigned from the Navy in 1851 with a splendid record. In 1852, he was appointed by President Buchanan as Superintendent of Indian Affairs in California and Nevada. From 1853 to 1861, he was conducting expeditions across the Southwest to California and opening up wagon roads through New Mexico, Arizona and California. President Lincoln appointed him in 1861 Surveyor-General of California and Nevada, which position he resigned in 1865. He then lived in retirement, spending much of his time on his rancho in the Tejon Mountains near Bakersfield, California. President Grant made him Minister Plenipotentiary to Austria-Hungary. He died January 20, 1893, in Washington, D. C. Beale was a man of unquestionable courage and deep convictions. When the draft proclamation from President Lincoln reached California during the Civil War, Beale took full responsibility for suppressing it. He dispatched a forcible message to Lincoln, explaining why he had taken such unauthorized and extraordinary action. President Lincoln returned the letter, writing upon the back of it, "Draft suspended in California until General Beale shall indicate that the times are more auspicious." Stephen Bonsal: *Edward Fitzgerald Beale*, p. 258.

¹⁷ Huc, E. R. M.: *Recollections of a Journey through Tartary, Thibet and China 1844-46*. Huc was a Frenchman and a Roman Catholic missionary priest of St. Lazarus. He made a long journey through China into Thibet and returned to Peking. In describing graphically a camel market which he saw, he wrote, "to the cries of the buyers and the sellers who are quarrelling or talking, as people talk when a revolt is at its height, are joined the long groans of the poor camels whose noses are incessantly tweaked to try their address in kneeling or rising." Vol. I, p. 113. When approaching the Yellow River, he said, "We loaded our camels and repaired to the bank, foreseeing a day full of trouble and difficulties of all kinds. Camels have such a terror for water, that it is sometimes found impossible to get them into a boat. They are beaten till they are quite bruised—their noses torn—to no purpose. You might kill them without inducing them to advance a step." Vol. I, p. 143. A new edition of this interesting work was published in 1925, edited by H. D'Ardenne de Tizac, Paris.

the water quickly and swam "boldly across the rapidly flowing river." One can imagine Beale's great delight. He then tied the others together in gangs of five and swam them all across without any trouble.¹⁸

Thus to Beale belongs the credit of bringing to California the first camels. His expedition was a most successful one. He had driven his camels more than twelve hundred miles, in the heat of the summer, through a barren country where feed and water were scarce, and over high mountains where roads had to be made in the most dangerous places. No accident had occurred to them, and he had proved that camels could swim. He had accomplished what most of his closest associates said could not be done. His assistants believed that the camels would drop by the wayside before Fort Davis could be reached.¹⁹ Beale was told "by the highest authority" on leaving San Antonio that not even one of the animals would ever see El Paso.²⁰ The endurance of the camels, their great strength and speed and their ability to take care of themselves on the rough trails and to grow fat on "grease-wood and other worthless shrubs," elicited from Beale his greatest praise and admiration. After passing down a fork of the Bill Williams River where mules could not go until the camels made a road, he wrote "they are the salt of the party and the noblest brute alive."²¹ He was so impressed by their achievement that he said, "I look forward to the day when every mail route across the continent will be conducted and worked together with this economical and noble brute."²²

The time required to make the trip to California was nearly five months. It could have been made in considerably less time if the imported camel drivers had been efficient and if Beale's men had known more about the care and the management of camels. Few persons had any faith in their endurance. Some of the men did not like to work with camels. They had heard that the "kick of the camel was soft," but "it took away the life."²³ The men had always been accustomed to working mules in the army, and they were not familiar with the nature and the habits of the camel. The treatment given mules did not apply to camels. Much time was lost because no one knew how to pack them securely. Beale apologized to the Secretary of War in one communication for remarking so frequently that it was necessary to stop the train and pick up the supplies that had been scattered along the way by the constant swaying of the animals.

After crossing the Colorado the camels were driven directly to Fort Tejon, an army post situated in the mountains near the site of the present city of

¹⁸ Sen. Ex. Doc., 35 Cong., 1 Sess., Doc. 43, p. 4.

¹⁹ This was a frontier army post located 420 miles northwest of San Antonio, Texas, and about 200 miles east of El Paso.

²⁰ San Francisco *Evening Bulletin*, Nov. 11, 1857, p. 1.

²¹ H. Ex. Doc., 35 Cong., 1 Sess., Doc. 124, p. 67.

²² For an account of this journey see the recently published volume, *Uncle Sam's Camels*, which contains the Journal of May Humphreys Stacey, edited by Lewis Burt Lesley, and supplemented by the report of Edward Fitzgerald Beale, Cambridge: Harvard University Press, 1929.

²³ Twentieth Annual Report of the Bureau of Animal Industry, U. S. Department of Agriculture, 1903, p. 401.

Bakersfield. Near San Bernardino the caravan was divided, and two camels were sent to Los Angeles, arriving there January 9, 1857.²⁴ They left San Bernardino at seven o'clock in the morning and reach Los Angeles at three in the afternoon, the distance traveled being sixty-five miles. Great excitement prevailed when the two camels entered the small village. On the largest one was mounted the Turkish attendant, Higaller [Hadji Ali?], dressed in his native costume, rich in color and decorated with small bells to attract the people. The two camels "created great curiosity, and scared all the horses, mules and children. When the docility of the animals was proved to the wonder-stricken senses of the natives, they were all anxious to take a ride upon the humps of those awkward locomotives, and as long as they remained in town, throngs of boys and men followed their motions."²⁵ The animals were first placed in the Circus Pavillion on the Plaza of the village, but the "tremendous rush" to see them was so great that it became necessary to move them from the street to insure safety to the people and to the animals. They were housed in a small stable owned by George Allen.²⁶ They were kept only two days in Los Angeles, and were then taken north to join the others at Fort Tejon.

A week later, General Beale arrived in Los Angeles from Fort Tejon on his way to the Colorado, with fourteen camels carrying supplies and equipment for a surveying party at work in Arizona.²⁷ His caravan created more curiosity than the appearance of the first two camels a week before. His coming was announced, and those who had failed to see the first camels were on hand to welcome Beale and his party. The following description of the event was widely copied in the newspapers throughout the state, giving the impression that these were the first camels to enter Los Angeles:

General Beale and about fourteen camels stalked into town last Friday week and gave our streets quite an Oriental aspect. It looked oddly enough to see outside of a menagerie, a herd of huge, ungainly awkward but docile animals move about in our midst with people riding them like horses and bringing up weird and far-off associations to the Eastern traveler, whether by book or otherwise of the land of the mosque, crescent or turban, of the pilgrim mufti and dervish with visions of the great shrines of the world, Mecca and Jerusalem, and the toiling throngs that have for centuries wended thither, of the burning sands of Arabia and Sahara where the desert is boundless as the ocean and the camel is the ship thereof.

These camels under the charge of General Beale are all grown and serviceable and most of them are well broken to the saddle and are very gentle. All belong to the one hump species, except one which is a cross between the one and two hump. This fellow is much larger and more powerful than either sire or dam. He is a grizzly-looking hybrid, a camel of colossal proportions. These animals are admirably adapted to travel across our continent and their introduction was a brilliant idea, the result of which is beginning most happily. At first General Beale thought the animals were going to fail; they appeared likely to give out; their backs got sore, but he resolved to know whether they would or not. He loaded them heavily with provisions, which they were soon able to carry with ease, and hence came through to Fort Tejon, living upon bushes, prickly pears and whatever they could pick up on the route. They went without water from six to ten days and even packed it a long distance for mules. When crossing the desert, they were found capable of packing one thousand pounds weight apiece and of travelling with their loads from thirty to forty miles per day all the while finding their own feed over

²⁴ *Alta California*, Nov. 26, 1857, p. 1.

²⁵ *Ibid.*, p. 1.

²⁶ *San Francisco Evening Bulletin*, Nov. 25, 1857, p. 3.

²⁷ *Ibid.*, Jan. 25, 1858, p. 3.

an almost barren country. Their drivers say they will get fat where a jackass would starve to death. The "mule," as they called the cross between the camel and the dromedary, will pack twenty-two hundred pounds.²⁸

FAILURE OF THE EXPERIMENT

For more than a year the camels were kept at Fort Tejon and at other places in the southern part of the state. They were used by the army officers to carry supplies from one army post to another and for messenger work. Experiments were made in trying to establish express lines connecting with points in Arizona and New Mexico. In March, 1859, S. A. Bishop of Los Angeles conducted a camel train, loaded with supplies, to the Colorado River. Some of the goods were sent to a party of men who were constructing a road from Arizona to California. The camels carried from 600 to 1,000 pounds each.²⁹ Captain Hancock of the Army arranged, in 1860, to establish a camel express from Los Angeles to Fort Mohave, a distance of nearly three hundred miles. It took about sixteen or eighteen days for mules and wagons to make the trip one way. At that time, goods, sent from San Francisco to Fort Mohave, went down to the Gulf of California, up the Gulf to the mouth of the Colorado, hence up the river by steamer to Fort Yuma. Hancock thought that he could deliver goods from Los Angeles to points eastward much cheaper by means of camels, and thus save the government money. He had conducted a mule train between Los Angeles and Fort Mohave during 1859.³⁰ He dispatched to Fort Mohave, October 21, 1859, ten eight mule teams and wagons with freight under the charge of one named I. Winston.³¹ From his experience, Hancock thought that camels would prove very superior to mules for this work. His camel express was known as the "Dromedary Line." It was started September 21, 1860, and soon was well advertised.³² The first trip was made by a Greek and a lone camel,³³ but after a few trips the line was discontinued.

Sketches can be found in the newspapers of this time reporting the failure of using camels in the desert. A driver of a mule express, arriving in Los Angeles from the Colorado in October, 1860, spoke of seeing a camel "craft" at Lane Crossing in the Mohave, one hundred miles out from Los Angeles. It had been on the road two and one-half days, and was making no better time than the

²⁸ *Ibid.*, Jan. 25, 1858, p. 3.

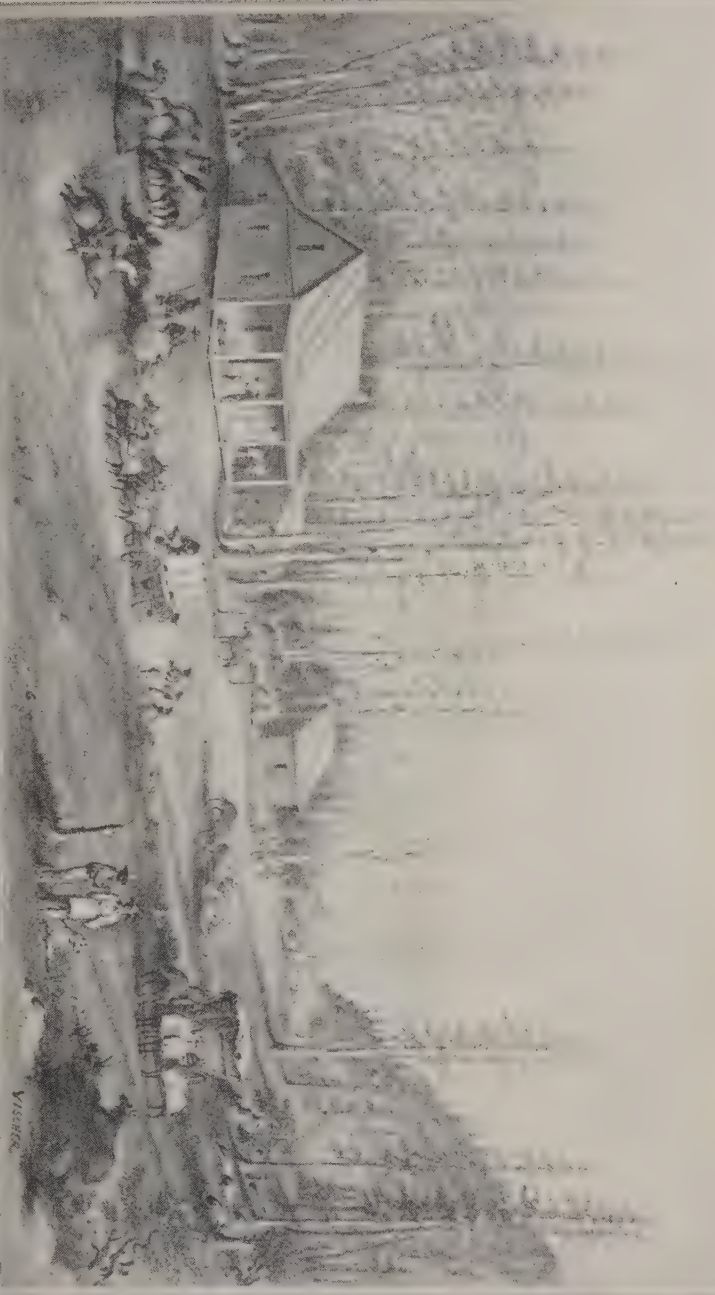
²⁹ *Los Angeles Star*, March 5, 1859. Three months later Bishop took another pack train from Los Angeles into Arizona. It was reported in the *Los Angeles Semi-Weekly Vineyard* for June 14, 1859, that: "S. A. Bishop, Esq., left here yesterday for the Central wagon road. He takes a party of men, which, with the men now on the road, will be engaged in working the road from the Colorado river. He will be joined by Lieut. Beale on the Mojave river. It is anticipated by Mr. Bishop that they will be able to complete the work on the road and reach Albuquerque by the 1st of August. Mr. Bishop took a pack train of twenty mules and ten camels loaded with supplies. He also has in his train nine camels native of California. These native camels are of much less size than the Asiatic camel, but it is believed that by care and attention in breeding and raising, they will become equal to the imported." (Hayes Collection, Los Angeles, Vol. 59, Doc. 82.)

³⁰ *Los Angeles Star*, Sept. 17, 1859.

³¹ *Ibid.*, Oct. 22, 1859.

³² Hayes Collection, Los Angeles, 1857-60. Interesting advertisements of the Dromedary Line may be found in Ford's *Legal Exchange*, 1860.

³³ *Sacramento Daily Union*, Sept. 29, 1860, p. 1.



LIFE AND SCENERY OF THE SILVER MOUNTAINS. HERMIT VALLEY. BIG TREE ROUTE. ALPINE CALIFORNIA.

mules employed for such service.³⁴ Another report, in referring to a freight line from Los Angeles eastward, said: "We regret to say that the camel experiment so far has proved a failure. This 'ship of the desert' foundered 'at sea' last week, going down all hands." Comment is made on the death of a camel, used in the express service, from mere exhaustion in the heart of the Mohave. The writer adds, after remarking that the "great experiment" came to "an unexpected end," that "the old mules still keep in favor."³⁵

Other tests were made of the camels in trying to establish and maintain freight and passenger lines into Arizona, but all ended in failure. A few animals were sent from the California camps to Fort Yuma to be used in carrying supplies to the army posts in Arizona and New Mexico. The acquisition of the territory from Mexico brought under the War Department twenty-three new army posts. They were widely scattered in a country where communication was slow and uncertain. It was the hope of the officers assigned to the various forts that the camel would greatly reduce the time required to pass from one fort to another and that the many difficulties of such trips would be largely overcome.

However, within a year after the coming of the camels to the state, it became clear that the experiment was doomed to failure. The Los Angeles *Star* for June 22, 1861, stated that the camp at Fort Tejon, where the camels had been stationed since their arrival in the state, had been broken up, and all the animals, thirty-one in number, taken to Los Angeles. They were scattered about the southern part of the state and were often mismanaged and neglected. General Beale recognized the situation in 1861 and, as United States Surveyor-General for California and Nevada, he asked the Secretary of War, Edwin Stanton, to turn over all the camels to him, as he wished to use them in his surveying work. Stanton did not care to do this, and the camels continued to remain at the army posts. They were idle; the cost of keeping them was increasing, and some of the army officers had no sympathy with them, preferring to work with mules. Later Beale wrote to Stanton that the camels "were of no earthly use either to the Government or any one else," and that the cost to keep them amounted to \$500 a month.³⁶ Wide differences of opinion arose among the army officers relative to the value of the animals. Some officers reported that the efforts to use them had ended in complete failure; others

³⁴ *Ibid.*, Oct. 10, 1860, p. 1.

³⁵ *Ibid.*, Oct. 15, 1860, p. 1. Some of the experiments were not failures. Three camels were taken from Fort Tejon in February, 1860, by Lieutenant Mowry of the Army, who was in charge of the California Boundary Survey, and sent to Dr. J. R. N. Owen stationed at Fort Mohave. Owen, with fourteen men, was to establish a number of depots in which to store supplies for his surveying parties, from Fort Mohave to Lake Bigler (Tahoe), in "the terrific desert country between the 35th and the 37th parallels." These camels, as well as the mules, were used to carry water, forage, food, and supplies for the first surveying parties going through this desolate land. On leaving Mohave, the three camels were loaded with fourteen hundred pounds. Haga [Hadji?] Ali, who came over with the camels when the first shipment was brought from Egypt, was taken along by Dr. Owen to load the camels and to take proper care of them. (Hayes Collection, Southern California, 1860-63, Vol. VIII, Doc. 159. See also Southern California and San Diego County, Vol. II, Doc. 161.)

³⁶ Twentieth Annual Report of the Bureau of Animal Industry, U. S. Department of Agriculture, 1903, p. 406.

maintained that camels could be successfully used to establish mail routes in the most remote sections of the country, and that any failure was due to the men, who did not know how to handle them, and not to the camels themselves.

At the very time that Beale and others were urging the War Department to sell the camels, plans were worked out to use the animals extensively in conjunction with the Post Office Department, in conducting mail routes from California to eastern points. E. B. Babbitt, a quartermaster in the army, stationed at San Francisco, tried to obtain enough camels to carry the mail regularly from San Pedro to Fort Mohave. He did not succeed in convincing the Secretary of War that this could be done. At the same time, Clarence Bennett, Major of the First Cavalry, California Volunteers, stationed at Camp Drum, California, wrote to Colonel R. C. Drum, Assistant Adjutant-General of the Pacific Coast Division, in San Francisco, May 21, 1863, and reported that thirty-six camels had been kept for a long time at Camp Drum. They were not used for anything. They had been subsisting on forage, which increased the expense of the camp, while good pasture was available within one hundred miles. Bennett recommended that the camels be sent to Fort Mohave to be used in transportation of goods to and from Tucson, Arizona. He wished to establish a through line between these settlements, sending out groups of camels each way several days apart.³⁷ Permission was not given by the War Department to start such a service. Secretary Stanton had little time, in the throes of the Civil War, to consider the conflicting reports submitted concerning the success of using camels in distant California. He issued an order to Quartermaster Babbitt September 9, 1863, to sell, at public auction, all the government camels in California. At that time there were thirty-five camels in the different army camps in the southern part of the state.

THE DISPOSAL OF THE CAMELS

The order to sell the camels was immediately carried out. Captain Dempfill was assigned the task of driving them from Benicia where they were to be sold. With six men, he first drove the herd to Santa Barbara, arriving December 30, 1863.³⁸ From there, he followed up the coast route. As the queer caravan ambled its way up the coast, the wildest excitement prevailed among the rancheros and the townfolk. The natives often ran from the villages when they saw the camels appearing. As these oriental strangers passed through the towns, the streets were filled with confusion; the horses of the vaqueros, scenting and sighting these strange creatures, bucked; the cattle stampeded. The herd reached Benicia in February, 1864. All the animals were in splendid condition, and for several weeks before the date of sale the newspapers carried an advertisement to the effect that they would be sold for "Cash in Legal Tender Notes."

The entire herd was sold on February 28, 1864, to Samuel McLenaghan who had helped to care for them for several years.³⁹ McLenaghan later sold

³⁷ *Official Record of the Rebellion*, Series I, Part II, Vol. 50, p. 453.

³⁸ *San Francisco Evening Bulletin*, Jan. 8, 1864.

³⁹ *Sacramento Daily Union*, April 2, 1864, p. 3.

three to a rancher, named Riley, who kept them for a while on his ranch near Sacramento. The remaining animals were taken by McLenaghan to a large ranch in Sonoma County where some of them were sold within a few weeks to different parties. Ten of the best animals were selected by McLenaghan to constitute a train to carry freight from Sacramento to the Nevada territory.⁴⁰ On March 31, these ten arrived in Sacramento en route to Nevada. The state fair was to open within a few days, and McLenaghan thought that he might collect some money to pay his expenses on the way by exhibiting them to the public and by arranging to race them on the racetrack at the state fair grounds. Of the ten animals, seven were native born, from two to four years old. "Old Tule" was thirty-five years old, and had been used by General Beale to carry water and supplies to his surveying parties in Arizona, sometimes for a distance of one hundred and fifty miles. Another of the older ones, named "Mary," was said to be one of those presented to the government by the Sultan of Turkey when the first shipment was brought over.

The camels were prepared for the racetrack after being exhibited for a few days to the curious public. The day before the race took place, an advertisement, "Great Dromedary Race," appeared in a newspaper, announcing that ten dromedaries would take part in a fast race, and that O. W. Dealing, the beneficiary, would ride the fastest animal.⁴¹ The race took place April 7. One of the dromedaries, "Old Tule," was first placed upon the track, being led by the owner, who rode a horse, followed by Dealing also on horseback. They decided to run Tule around the track once to measure his gait and to incite the other camels which were soon to enter the race. They started off, McLenaghan ahead on his horse, and Dealing in the rear applying a huge whip to Tule "with great vigor." The trio raced around the half mile track before a delighted crowd, Tule coming in "with mouth and nose covered with white foam." Then six of the camels were driven by some horsemen once around the track, preparatory to the race. Satisfied that the performance would be a success, McLenaghan now placed all the ten animals on the track. He kept to his horse, but Dealing rode a camel, which was the "striking feature of the exhibition." When the animals were going at full speed, and one-half around the track, McLenaghan became alarmed, fearing that Dealing would fall off, and rushed ahead and stopped the race. Dealing dismounted and "came in on the homestretch on a mule."⁴²

About one thousand people attended the race, the price of admission being fifty cents. McLenaghan and Dealing helped to collect the money at the gate, but turned it over to some one to count. The receipts were only \$180, which would indicate that about two-thirds of the people paid no admittance or that some one levied a heavy commission for collecting and caring for the gate receipts, while the two men were trying to entertain the restless crowd.

⁴⁰ *Ibid.*, p. 3.

⁴¹ *Ibid.*, April 4, 1864, p. 2.

⁴² *Ibid.*, April 8, 1864, p. 3.

The next day, greatly disappointed over the lack of financial gains from the race, McLenaghan started on. He drove his camels up the west side of the Sacramento River to Red Bluff, and from there, across the mountains into Nevada. He never established a freight or passenger line from Sacramento to Nevada, as he planned originally, but sold his camels when he reached his destination. They were used for several years to carry supplies to the mines, and to take salt from central Nevada to the silver mines near Austin. Edwin Franklin Morse, who spent many years in the mining sections, said, "I have often seen trains of half a dozen camels coming into Austin with their loads."⁴³

Those camels which remained in California after the auction at Benicia were disposed of to different persons. Some were sold to circuses, some to zoological parks, and others to General Beale, who still retained his great admiration for them. Beale took his camels to his large rancho ("El Tejon") in the mountains near Bakersfield, and kept them there until they died. He used them to construct roads and to make trips about the country. For years one might have seen Beale working camels about his rancho, and making pleasure trips with them, accompanied by his family. He would drive from his rancho to Los Angeles, a distance of more than one hundred miles, "in a sulky behind a tandem of camels," to whom he enjoyed talking "in Syrian which he had with characteristic energy taught himself for this purpose."⁴⁴

CAMELS IMPORTED FROM CHINA

The early experiments of the government in testing out camels in California stimulated the organization of private companies to import camels. They looked to China as a source of supply rather than to Egypt. In the spring of 1860, Otto Esche, a merchant of San Francisco, went to China to purchase a shipment of camels to be used in California. He believed that they would be in great demand in the mining sections of the Sierra Nevada once they were introduced. If the camels proved to be satisfactory in this work, Esche planned to establish a through express route from San Bernardino to El Paso. It was his immediate intention to organize a camel express between San Francisco and Salt Lake City. If this were patronized, he expected to extend the express to Missouri.

Esche thought that camels coming from the interior of the Orient would be better fitted for travel in all parts of California than those from Egypt. He penetrated into the heart of China and bought thirty-two camels in the Amur country at Nicolaesky, Mongolia. He went into the mountains to purchase them because they were to be used first in crossing the Sierra, and later, on the plateau of Nevada and Utah. In driving the camels through the Mongolian desert to the seaport, seventeen of them died from the scarcity of food.

On July 25, 1860, the schooner, *Caroline E. Foote*, landed fifteen full grown camels at San Francisco.⁴⁵ They were consigned to M. Frisius and Company

⁴³ *California Historical Society Quarterly*, Vol. VI, p. 347.

⁴⁴ Bonsal, Stephen: *Edward Fitzgerald Beale, a Pioneer in the Path of Empire 1822-1903*, p. 207. S. A. Bishop was part owner of this ranch. It was splendidly located and consisted of eleven leagues. Upon it ranged several thousand head of cattle in 1856. It was known as the Liebre grant. (*Los Angeles Star*, June 28, 1856.)

⁴⁵ San Francisco *Evening Bulletin*, July 26, 1860, p. 3.

of San Francisco. The camels were in very bad condition when they arrived. Some were sick when they were loaded on the boat in China, and the accommodations for them on the ship were inadequate. Esche did not return with them, and those in charge did not know how to care for them or how to feed them. They arrived "lean, meagre and with their double humps shrivelled down to mere skinny sacks, which hung in flabby ugliness over their sides."⁴⁶ In order that they might quickly regain their strength they were turned loose on the fine pasture near Mission Dolores.

Advertisements appeared in the newspapers shortly after these camels arrived, informing the public that these remarkable animals were to be seen on exhibition.⁴⁷ A few days later, as soon as the camels had recuperated, it was announced through an attractive advertisement that they would be placed on display to raise money for the benefit of the German Benevolent Society of San Francisco.⁴⁸ They were to be seen in all colors, gray, tawny, yellowish and even black. A native camel trainer, who accompanied the camels from "The Great Desert of Cobi," was to manage the exhibition. It was advertised that under his direction "these intelligent animals will be made to kneel, rise or move at the word of command, and go through their interesting performances."⁴⁹ The exhibition of the camels took place in a large tent erected on the floor of the old Music Hall on Bush street. They could be seen from 11 A.M. until 10 P.M., and the place was open for almost two weeks, the price of admission being fifty cents for adults and twenty-five cents for children. The public was reminded on the last day that after August 11 there would be no opportunity to see the camels, and that the price of admission had been reduced to twenty-five cents.⁵⁰

A peremptory sale of the thirteen Bactrian camels was announced in the newspapers of September 11. They were to be sold on October 10 at auction for cash and in lots to suit the purchaser. The advertisement ran until the day of the sale, and emphasized that all the animals were "from a cold and mountainous country," and that they were "in fine condition and health."⁵¹ When the day arrived for the sale of the animals, only a small crowd appeared. The auction was delayed in the hope that more people would attend the sale. Only two camels were sold the first day. One of them sold for \$425, and the other brought \$475.⁵² The sale continued the next day, but the bidding was so low

⁴⁶ Hutchings *California Magazine*, Nov. 2, 1860, p. 2.

⁴⁷ San Francisco *Evening Bulletin*, July 27, 1860, p. 2.

⁴⁸ *Ibid.*, August 2, 1860, p. 1. This Society was organized January 7, 1854, with 105 members. It was located at Third and Brannan streets. The membership had grown to 1,030 by 1860, two-thirds of whom resided in and around San Francisco; the remainder came from the interior of the state. Dues were one dollar per month. Only Germans and those speaking the German language could become members. Each member could demand sick benefits and medical attention from the Society. It also gave aid regularly to Germans who were not members, if they were in need or in distress. In 1860 the hospital was a two story structure 50 by 70 feet. When the United States entered the World War, the institution changed its name to Franklin Hospital. (San Francisco Directory, 1860, p. 441.)

⁴⁹ San Francisco *Evening Bulletin*, July 27, 1860, p. 2.

⁵⁰ *Ibid.*, August 11, 1860, p. 3.

⁵¹ *Ibid.*, Oct. 5, 1860, p. 2.

⁵² *Ibid.*, Oct. 10, 1860, p. 3.

that the animals were withdrawn from sale. The auctioneer was instructed by the agents to sell none for less than \$1,200.⁵³ It was not until a year later that all the camels were sold. Failing to get what he thought the camels were worth, Mr. Frisius finally sold the whole lot — four males and six females — to Julius Bandmann.⁵⁴ They were by this time in perfect condition. During July, 1861, the ten animals were kept in the pasture fields of an old resident, named McDonald, "on Pacific street, beyond Larkin." They grazed over the vacant lands and were driven regularly over the sand hills to the Presidio to feed upon the thistle, their favorite food. Bandmann studied carefully their habits and disposition and tested them at work in various ways. He would load them with as much as 650 pounds of sand each and drive them over the sand hills and down the cliffs to test their strength and agility. He thought this would be good training for the difficult travel which they were expected to do in the mountain country.

These camels and some of those purchased from the government by McLeneghan were taken to Nevada and used by mining companies for several years. They were used to carry salt and other supplies to the mines in the Washoe country.⁵⁵ In 1876, the Board of Aldermen of Virginia City, Nevada, was asked to give \$1,000 to aid the Horrible Club⁵⁶ in obtaining and decorating camels which were to be used in the parade in that city in commemorating the one hundredth anniversary of the signing of the Declaration of Independence. Permission was given to use the camels, but it was decided that their appearance on the streets would be too dangerous because "these animals frighten horses and mules terribly."⁵⁷ Eight camels were used by a mining company in Nevada for several days to carry wood to the top of Mount Davidson, near Virginia City, at an altitude of over 9,000 feet. A huge bonfire was made from the wood for the celebration on July 4, 1876. Each animal carried one-third of a cord of wood each trip. Enough wood was taken up to the top of the mountain to make a pile sixteen feet high, and at night the fire was "plainly seen from all parts of the Washoe Valley and other places within a radius of many miles."⁵⁸

As the camels in Nevada became old and worn out, they were often allowed to run loose about the country. The farmers became aroused because the ugly creatures scared their horses and caused delay and much trouble on the roads.

⁵³ *Ibid.*, Oct. 11, 1860, p. 3.

⁵⁴ *Alta California*, July 25, 1861. Bandmann was a commission merchant. He was the agent for the two shipments of camels sent over by Esche.

⁵⁵ An interesting picture of camels being driven to Nevada, September, 1861, may be found in Edward Vischer's *Pictorial of California* (No. 6). They are resting in the Mammoth Grove of Big Trees in Calaveras County. The *Daily Territorial Enterprise* of Virginia City, Nevada, for May 10, 1862, notes the arrival in that town of two tons of salt by camel train for the Central Mill, about 150 miles away. The camels were driven by Mexicans "who seem not to know the difference between a mule and a camel." Each animal carried 550 pounds of salt.

⁵⁶ A local organization which prided itself in patriotic pageantry and in grotesque performances. It was interested chiefly in preserving the early traditions of the pioneer days of Nevada.

⁵⁷ *Daily Territorial Enterprise*, June 29, 1876, p. 3.

⁵⁸ *Ibid.*, July 6, 1876, p. 3.



VIEW NO. 47 OF VISCHER'S PICTORIAL OF CALIFORNIA



VIEW NO. 6 OF VISCHER'S PICTORIAL OF CALIFORNIA

Hugh Carling of Lyon County introduced a bill in the Nevada legislature January 19, 1875, to prohibit camels and dromedaries from traveling upon the highways of the state.⁵⁹ The bill was modified to apply only to camels running at large, and it became a law February 9, 1875.⁶⁰ Anyone found guilty of allowing his camels to go astray was to be fined not less than \$25 or more than \$100, or he was to be put in jail for not less than thirty days.

Encouraged by his successful importation of camels in 1860, Otto Esche sent over two more shipments from the Amur. One shipment of ten Bactrian camels was landed at San Francisco November 15, 1861, by the *Caroline E. Foote*, under the command of Captain Andrew I. Worth, who brought over the cargo of camels in July, 1860.⁶¹ This second voyage was made in thirty-three days, with the loss of four camels, one having died before Worth left Siberia. The other shipment of camels was landed in San Francisco by the bark *Dollart* January 26, 1862. The circumstances and incidents pertaining to this last and largest importation of camels into California from the Orient are described elsewhere.

Most of the camels brought in by the *Caroline E. Foote* in November, 1861, and by the *Dollart* were shipped to British Columbia. The Cariboo country was experiencing a gold rush at that time, and it was believed that camels would be of great assistance in providing a rapid means of communication between the seaports and the mines. In the spring of 1862 Mr. Callbreath of Victoria came to San Francisco to inquire into the usefulness of the camels and to see how they might be worked. He purchased twenty-three camels from Julius Bandmann and Company for \$6,000. (See Exhibit "F." Statement by Bandmann.) The San Francisco newspapers noted that in April, 1862, this company shipped to Esquimault, Canada, twenty-two camels by the steamer *Hermann* bound for Hailey, Victoria, with George S. Wright as captain.⁶² A correspondent from Victoria, writing to the *Alta California* on May 7, 1862, says: "The Bactrian camels have left for British Columbia. Many are anxious to know whether the experiment of using them will succeed or not in that climate."⁶³ Their service in the distant north was disappointing; they were soon disbanded and widely scattered.⁶⁴

THE CAMEL CONDUCTORS

Perhaps the most amusing feature of the camel fiasco was the importation of the "expert" camel drivers. When Wayne and Porter brought over the first camels, three Arabs and two Turks were employed to act as interpreters and assistants in caring for the animals. Porter wrote, concerning the selection of

⁵⁹ Journal of the Assembly, Nevada Legislature, 1875, p. 61.

⁶⁰ Statutes of Nevada, 1875, Chapter XII.

⁶¹ San Francisco *Herald*, Nov. 16, 1861, p. 1. Later, this schooner was used as a whaling vessel for several years.

⁶² *Alta California*, April 8, 1862, p. 1. Also San Francisco *Evening Bulletin*, April 10, 1862, p. 3.

⁶³ *Alta California*, May 13, 1862, p. 1.

⁶⁴ For an account of the camels in the Northwest see an article by W. S. Lewis, in the *Washington Historical Quarterly*, Oct., 1929.

the camel conductors: "They were well recommended, and are represented as skillful in the management of camels and in making and in repairing the pack saddles and other apparatus."⁶⁵ The drivers had not been in Texas very long until it was discovered that five were not sufficient and that greater care should have been exercised in selecting them. When the second cargo of camels arrived, ten Turks, one of whom was a boy, were brought over. All these drivers decided to remain in Texas when Beale was ready to start for California with his twenty-eight camels. Two Turks, Hassan and Siuliman, who "knew all about camels," refused to accompany the expedition.⁶⁶ The others, having great faith in the judgment of their competent countrymen, also refused to start. They thought the trip to California would be too long and too dangerous, and they alleged that they had not been paid anything by the government since arriving in the country.⁶⁷ Beale was forced to start on his long trip without the assistance of the imported drivers. But sometime after the caravan left San Antonio, some of them overtook the party. They hindered more than they promoted the progress of the expedition. In his disgust and disappointment over the failure of the drivers, Beale wrote to the Secretary of War from El Paso, July 24, 1857, saying, "The Greeks and Turks who are with us know no more of camels than any American in New York knows of buffalo."⁶⁸

These drivers were a source of constant trouble. Beale had difficulty in keeping them sober. They also quarrelled with the mule drivers. When the expedition reached Albuquerque, the natives gave the party a royal welcome. They gathered "at a convenient rancho, and amused themselves by dancing, music and drinking a miserable liquor."⁶⁹ To induce some of his men to abstain from imbibing the "Spanish wine," Beale said, when at Albuquerque, that he was "obliged to administer a copious supply of the oil of boots to several, especially to my Turks and Greeks, with the camels."⁷⁰ Billy Considine, a member of the party, testified that to move a stubborn, half-drunk Turk, one needed to use on him "a good tough piece of wagon spoke, *aimed* tolerably high."⁷¹ The camel conductors were imported to teach Americans how to manage camels and how to restore confidence in those trying to work them when they displayed their teeth "with a roar rivalling that of the royal Bengal tiger."⁷² The drivers often created dissention among the members of the party, and destroyed confidence rather than restored it. From the reports written by Beale and others it would appear that Major Wayne selected the right kind of camels, but not the most competent drivers.

It is difficult to determine how many of the drivers came to California with the government camels. It seems that not more than a half dozen ever reached

⁶⁵ Sen. Ex. Doc., 34 Cong., 3 Sess., Doc. 62, p. 47.

⁶⁶ San Francisco *Evening Bulletin*, Nov. 11, 1857, p. 1.

⁶⁷ H. Ex. Doc., 35 Cong., 1 Sess., Doc. 124, p. 15.

⁶⁸ San Francisco *Evening Bulletin*, Nov. 11, 1857, p. 1.

⁶⁹ From a diary of a member of the party. *Alta California*, Nov. 26, 1857, p. 1.

⁷⁰ H. Ex. Doc., 35 Cong., 1 Sess., Doc. 124, p. 23.

⁷¹ *Ibid.*, p. 32.

⁷² San Francisco *Evening Bulletin*, Nov. 11, 1857, p. 1.

California. After the camels passed from government ownership, some of the drivers went into Nevada, and later drifted down into Arizona and Texas. One of them, Hiogo Alli, remained in the employment of the government until 1870.⁷³ Another driver, Greek George, killed a white man in New Mexico some ten years after coming to America, and was later found dead on the plains. Some said that he committed suicide rather than be captured, while others reported that he was killed by the Apaches.⁷⁴ Probably the best known of all the camel drivers was Hadji Ali, or Hi Jolly, as he was commonly called. As a boy, he had served in the French army in Algiers. As an employee of the government and later as a conductor of camel trains in the Southwest, he endeared himself to those who knew him by his quiet, unassuming manner. Most of his time in this country was spent in Arizona. He died December 18, 1902, at Tyson's Wells, Arizona, in the heart of the desert that he loved so well, about one hundred miles west of Wickenburg.

STATE INTEREST ON THE QUESTION

During the time that the question of the importation of camels was before Congress, little interest in the subject was taken by the newspapers of California or by the state legislature. The San Francisco Herald in its issue of October 3, 1852, devotes a column to the debate then in Congress as to whether camels or elephants should be imported to establish transportation lines in the Far West. In 1856, the Stockton *Argus* advocated the introduction of camels into the state. It said: "The next move in our progress of improvement should be the introduction of camels in California. Its introduction into our state would produce a revolution in our mineral development and internal trade. It is capable of traveling over one hundred miles per day — is known to live to a green old age, as long as seventy or eighty years — to go without eating or drinking for four or five days — to be able to carry twice the load of our largest and most hardy mules."⁷⁵ The editor continues by pointing out the value of the camel in a state like California. He thought the animal's ability to climb "rocky slopes of forty-five degrees," while carrying five or six hundred pounds, would change quickly the inconveniences and dangers attending mountain travel. But this attitude was exceptional, for even after camels were brought to the state, few editors showed any enthusiasm for them.

The state legislature did nothing to encourage the use of camels within the state. It considered their possibilities but once. Shortly after the bill providing for the importation of camels was passed by Congress, Senator Flint presented to the state legislature a memorial from William E. Walton to encourage overland immigration to California and to facilitate inter-ocean communication.⁷⁶ In his memorial, Walton asked the state to donate to him in fee simple five quarter sections of land from the eastern boundary of the state to the Pacific

⁷³ Twentieth Annual Report of the Bureau of Animal Industry, U. S. Department of Agriculture, 1903, p. 403.

⁷⁴ *Out West*, Vol. 26, p. 311.

⁷⁵ San Francisco *Herald*, Dec. 13, 1856, p. 2.

⁷⁶ Senate Journal, California Legislature, 1855, p. 678, 704.

Ocean, to be used as stations where camels could be kept and used in maintaining a regular passenger and express route. He promised that within two months after obtaining the land, he would "place trains of camels and dromedaries on a route from a point or station on the Atlantic coast to a point or station on the Pacific coast for the purpose of expediting inter-oceanic communication in a speedy and secure manner."⁷⁷ Walton also promised, with the aid of ample capital which he claimed was at his disposal for the prosecution of the project, to place another train of animals, within a few months after getting the land, "on the southern route, that will make the distance from Texas to New Orleans to the Gila River, thence to San Diego or Los Angeles, *in from eight to ten days*, an almost incredible short time, but nevertheless true."⁷⁸

Walton's memorial and bill introduced in the state senate by Senator Flier on April 27, to establish a camel train, were sent to the Committee on Internal Improvements. The Committee reported on the subject May 3. It approved the memorial, and said that "the bill is one which eminently merits the fostering care of the Legislature."⁷⁹ But the Committee submitted to the Senate a substitute bill. It provided for granting five quarter sections of state land to establish a dromedary line to carry letters, express matter and passengers from the Pacific to the Atlantic seaboard.⁸⁰ The legislature adjourned three days later without considering the bill. Thus ended the first and only attempt to obtain legislative aid in promoting transportation by means of camels.

The prospect of using camels in transportation throughout the state apparently seems to have made little appeal to private concerns. About a year after the first camels were brought to the state, a company was formed at Downieville in Sierra County, for the purpose of importing and using camels on the Pacific Coast. The company was organized and incorporated on May 13, 1859. It was known as the "California and Utah Camel Association." Its charter, as filed with the Secretary of State in Sacramento, May 23, was as follows:⁸¹

We the undersigned Citizens of the United States of America, do hereby certify that we have formed ourselves into a Corporation under the name and style of "The California and Utah Camel Association," which is to be the corporate name of the company, and that the object for which the corporation is formed is the introduction, and employment of the Camel on the Pacific Coast:

The amount of the Capital Stock of the Corporation is twelve thousand /12,000/ dollars, divided into one hundred and twenty shares of one hundred dollars each.

The duration of the Corporation shall be twenty /20/ years.

The number of Trustees of the Corporation /and those who shall manage its concern for the first three months/ is three, and their names are John E. Ager, Edmund G. Bryant and John I. Cooper, all of whom are citizens of the United

⁷⁷ Appendix to Senate Journal, California Legislature, 1855, Doc. 24, Appendix "A," p. 1.

⁷⁸ *Ibid.*, p. 8. Walton had been a resident of California for five years prior to this time. He was an enthusiastic promoter of such schemes. To influence the legislature to consider favorably his memorial, he said that he was sure to obtain "the necessary quarter section of land in New Mexico from the national government to establish a camel train there, and that a "most liberal appropriation from the National Treasury" would have been made to convey mails across the continent by camels, had not the Post Office laws prevented it. He informed the legislature that a similar memorial to obtain land for camel stations was to be presented to the legislature of Texas.

⁷⁹ Senate Journal, California Legislature, 1855, p. 807.

⁸⁰ San Francisco *Herald*, May 4, 1855, p. 2.

⁸¹ State Archives, office of Secretary of State, Sacramento, California.

States of America, and residents of California; and the principal place of business of the Corporation is

Downieville in Sierra County

Dated at Downieville in Sierra County

May 13th A D 1859

s charter was signed by ten men, including the three who were named as stees, the others being Q. A. Clements, William R. Tennent, C. L. Shales, nes Kane, Samuel W. Langton and E. M. Gates. The writer has failed to any account that the Association ever imported camels. The charter was eited December 13, 1905, for failure to pay the state license tax for the year ing June, 1906, the state, in 1905, having levied a license tax of ten dollars all corporations within the state, the charters of those corporations which become defunct being cancelled when this tax was not paid.

CONCLUSION

No attempt has been made in this study other than to sketch briefly some he more interesting features of the camel episode. The experiment of using nels was a complete failure, except Beale's trip to California. But the under- ing in the state would certainly have been more successful if the Civil War not opened in 1861. The army officers entrusted with the camels had little ination or time during the war to train them for war duty or to use them he place of mules. Lincoln signed the bill, in 1862, to construct a trans- tinenta! railroad, and the people of California were assured then, for the t time, that the state would be connected with the East by rail. By this e, telegraph lines had been set up in many parts of the state, some excellent ds had been built, and the overland stage and express service had become er and more dependable. Several short railroads had also been built. These nges in communication came so rapidly that the former faith in camel trans- tation was soon destroyed. The only physical evidence remaining today of camels brought to California, is the skeleton of one of the animals in the ithsonian Institution. When the camels were stationed at Fort Tejon, two them engaged, one night, in a deadly combat, and clubbed each other so cely with their ponderous forefeet that one of them was killed before the diers could get them under control. Lieutenant Sylvester Mowry, wishing preserve the evidence that these noble brutes were once domiciled in Califor- , sent the skeleton to Washington, D.C.

THE DOLLART CASE

By A. A. GRAY

[The material here presented and the exhibits on the following pages are from the records filed in the United States District Court, San Francisco, in the case of *Otto Esche v. Bark "Dollart,"* No. 1467. These records and the testimony taken in the Court undoubtedly represent the most authentic and complete documentary evidence in existence dealing with the last importation of camels into California. Valuable documents, used in the case but not filed with the Court, were the Captain's log book and the record book kept by Esche.]

The third and last shipment of camels from Siberia to California proved to be a most disastrous failure. The German bark *Dollart*, a schooner of about four hundred tons, on her way home from a long cruise in the southern Pacific, docked at Castries Bay, Siberia, in September, 1861. She was chartered by Otto Esche to carry a cargo of forty-four camels to San Francisco. The camels were loaded successfully, by the aid of the Russians, and the *Dollart* set sail October 25. The vessel was three months crossing the Pacific. It encountered some heavy storms and lost several sails, but the loss was due to the poor equipment of the schooner rather than to the storms.

In crossing the ocean, twenty-four of the animals died. This was due to the lack of stalls in which to place them, to the scarcity of feed, and to the cruel treatment given them. Seven died between the port of departure, Castries Bay, and Hakodadi, Japan, within twelve days. When Esche arrived at the Japanese port, he was so concerned over the loss of the camels that he communicated with C. A. Fletcher, the United States Consul at Hakodadi. Fletcher's agents testified, after a careful investigation of the care given the animals, that they were not properly quartered for safe transportation, and that they should have adequate stalls. The *Dollart* sailed from Hakodadi on November 18, and after a stormy voyage arrived at San Francisco January 26, 1862, with only twenty camels.

The next day after the vessel docked, Esche entered suit for \$7,300 against the schooner and her master, J. H. C. Muggenborg, for the loss of his camels. The case was brought to trial before Judge Ogden Hoffman in the United States District Court. Hall McAllister, the outstanding attorney in San Francisco at that day, was the lawyer for Esche, and J. B. Manchester represented Muggenborg. The evidence presented to the Court left no doubt that the *Dollart* was not seaworthy when she left Siberia and that the camels had been neglected and inhumanly treated. Esche was awarded damages to the amount of \$6,240 or \$260 for each animal lost. In his decision Judge Hoffman said: "It is impossible to read the proofs without the conviction that the grossest neglect, and even inhumanity, has been practiced by some one toward these unhappy beasts. It is not pretended that any disease prevailed among them. Their supply of food, at least from Hakodadi to this port, was abundant. They were in good condition when shipped. The voyage, though long, was not extraordinarily tempestuous."

Esche also sued the *Dollart* and Muggenborg for a violation of contract.

which was made when the ship was chartered. In the agreement to bring camels to California, Muggenborg promised to provide passage, fare and accommodations for Esche and several others. Muggenborg was to be paid \$4,500 as freight for his cargo of camels. At the time of departure from Nicolaesski, Esche paid him \$2,500; the remainder was to be paid on landing at San Francisco. Esche brought suit for: (1) \$2,000 for a breach of contract for his own food and accommodations; (2) for \$75 which he had paid as passage money for W. R. Pitts; (3) \$2,000 for the passage fare of Mr. and Mrs. Herman Müller, and (4) for \$4,000 for an injury which he received when he fell through a hatchway coming over. The total damages asked by Esche, including the loss of the camels, was \$15,375.

CLAIMS FOR WAGES

The crew presented bills against the *Dollart*. They sued for \$1,092 back pay. One of them, Pono, the Serang, demanded \$140. He got \$20 per month. Four of the others received each \$16 per month, and the remaining six, \$12 a month each. Muggenborg claimed that he paid the crew \$312 when they left with the camels and that he paid them an additional \$100 at Hakodadi. Under the leadership of Pono and Ram Sammy, the interpreter, the crew assigned and transferred all claims for back pay to Attorney J. B. Manchester for \$250.

Eleven men constituted the crew. Muggenborg said that five of them were Malays, two were Arabs, and four came from Singapore. It will be noted from the statement submitted by the crew that twelve of them made their mark in assigning their claims for wages to Manchester. The name of the seaman Aisso does not appear in the official list of the crew as certified to by Muggenborg and the German Consul at Nicolaesski. Perhaps this extra man was picked up on the streets of San Francisco to increase the wage claim. The two Arabs were named Assan and Alli, and they helped to care for the camels for a time after they were landed at San Francisco.

In the scramble to obtain pay for services, Muggenborg decided that he could not be left out, so he sued for back pay. He held a contract signed by the owners of the *Dollart* in May, 1857, which was to give him 100 gilders a month. His claim was for \$1,420. After the bark docked, he purchased material and employed men to repair the disabled ship. He bought a new cabin door, a new skylight, several sail masts, canvas, two bales of oakum, etc. Two calkers were employed for ten days at six dollars per day each. His total bill was \$554.50, but the Court did not allow it.

Several others brought in bills against the ship. William McPlum, a carpenter, said that he had been employed by Muggenborg "to take off and put on a new top on Cabin house of pine two inches thick and a half inch wide," to repair the galley and to put a brick floor in it. He also repaired some sails, and for his material and labor, he asked \$230. The firm of Edgerly and Wickman, dealers in ship stores, wanted \$54.31 for supplies furnished. John F. Taylor, a blacksmith, sued for \$38 worth of material. John Brown, Richard Terboy and Lutze Duis said that they had worked for thirty days on the ship;

they asked for \$180 as their pay at the rate of two dollars each per day. And finally, the cook, John Schmidt, put in a bill for \$61.30, contending that he had not been paid for forty-six days. All these claims were disallowed.

SALE OF THE SHIP

Muggenborg did not expect any such trouble as he experienced when he landed at San Francisco. As soon as the ship was fully repaired, the *Alta California* carried an advertisement to the public that the bark was ready to be chartered again. But Muggenborg realized his serious predicament when Judge Hoffman issued a decree that the ship be taken into custody. William Rabe, United States Marshal, took possession of the *Dollart* on February 6, 1862, on which date she was advertised for sale at public auction. On March 28 the sale was postponed, but three days later, the vessel, with her furniture and full equipment, was sold for \$6,500.

Certain claims were ordered paid by the Court before Esche was to get his money. From the proceeds of the sale there was to be paid first, \$601.28 to the United States Marshal; secondly, to the Clerk and Commissioner of the Court, \$451; thirdly, to F. P. Lauterwasser, a merchant who had sold provisions to Muggenborg when the ship arrived, \$73.28; and lastly, \$6,240, with court costs of \$187.50, to Esche. The proceeds of the sale were not sufficient to satisfy the judgment of Esche, and later he was given judgment for \$500 against Muggenborg and his stipulators, Otto H. Frank, the Hanoverian Consul at San Francisco, and C. F. Mebius, a merchant and at that time President of the German Benevolent Society. Frank paid the amount September 18. Muggenborg claimed that he had forwarded to Frank from Nicolaesski the \$2,500 paid to him by Esche, and in addition the 300 Russian rubles which he had received as passage money. Of this there was no proof.

The following exhibits disclose some of the more interesting features of this important litigation.

EXHIBIT "A" — Protest of Otto Esche, before the Acting Consul of the United States at Hakodadi, Japan, respecting the failure of the Captain of the Bark *Dollart* to carry out the terms of the Charter Party. (See facsimile.)

EXHIBIT "B" — Assignment of wage claims of the crew of the *Dollart* to J. B. Manchester, attorney. (See facsimile.)

EXHIBIT "C" — Advertisement of U. S. Marshal's sale of the *Dollart*. (See cut.)

Consulate of the United States of America,



AT HAKODADI, JAPAN.

Hakodadi, Japan, November 6th 1861.

On this sixth day of November, in the year of our
 d. eighteen hundred and sixty one before me, C. A. Fletcher
 Consul of the United States of America for Hakodadi,
 personally appeared Otto Enke, a citizen of the United States,
 charterer of the ship or vessel called the "Dollart," of
 Bremen, Kingdom of Hannover, of the burden of three hundred
 eleven tons, or thereabouts, and declared, that on the twenty
 first day of October last past the said ship sailed from the
 River of Eastvies laden with a cargo of forty four live Camels
 and other merchandise, and that the said ship arrived at Hakodadi
 on the fifth day of November last past, and that as no proper
 care for these Camels had been constructed by the captain of
 the vessel, as provided for in the charterparty dated at
 Bremen, 6th 18th September 1861, and as no command,
 discipline and order as customary and necessary on board a ship
 exist on board this said ship "Dollart," and therefore no
 proper care and attention was taken for the necessary comfort
 and welfare of the live cargo, and as the stipulations about
 passengers in the charterparty have totally been neglected
 by the captain of the said ship, he the above named Otto
 Enke hereby enters this note of protest accordingly, to serve and
 avail him hereafter, if found necessary

Otto Enke

Master C. A. Fletcher
 Acting U. S. Consul

Charterer of the "Dollart"

Know all Men by these Presents, that *We*
 the undersigned, *late seamen on board the Barge*
"Y. Sollar" whereof *J. H. C. Cunningham*
 is Master, do hereby nominate, constitute and appoint
 Attorney and Counselor at Law, and Proctor in Admiralty, residing in the City and County of San
 Francisco, State of California, *our* true and lawful Attorney and Proctor, irrevocable
 in *our* name, place, and stead to ask, demand, receive, sue for, prosecute, collect
 settle, or compromise all claims for wages, and all claims for damages for all assaults, batteries, false
 imprisonments, torts, trespasses and claims of every description, which *we* have
 against said *Barge* her master, officers or owners, or either, or any of them; and to
 give receipts, acquittances, discharges and satisfaction therefor; and to do and perform all acts and
 things, proper to be done and performed in the premises, as fully, to all intents and purposes, as
we could ourselves do if personally present.

Witness, *our* hands and seals this *fourth* day
 of *February* 1862

Executed in the Presence of

<i>M. Hastings</i>	<i>1</i>	<i>Dono</i>	<i>this</i> <i>mark</i>
		<i>Commedill</i>	<i>this</i> <i>mark</i>
		<i>Reese</i>	<i>this</i> <i>mark</i>
		<i>Wingo</i>	<i>this</i> <i>mark</i>
		<i>Admiral</i>	<i>this</i> <i>mark</i>
		<i>Ali</i>	<i>this</i> <i>mark</i>
		<i>Accoon</i>	<i>this</i> <i>mark</i>
		<i>Salvior</i>	<i>this</i> <i>mark</i>
		<i>Resin Asib</i>	<i>this</i> <i>mark</i>
		<i>Chi</i>	<i>this</i> <i>mark</i>
		<i>Wiss</i>	<i>this</i> <i>mark</i>
		<i>Sally</i>	<i>this</i> <i>mark</i>

EXHIBIT "C"

U. S. MARSHAL'S SALE

Bark "Dollart."

BY VIRTUE OF a writ of Vendition Exponas, to me directed, issued from the District Court of the United States for the Northern District of California, at the suit of Otto Esche against the bark "Dollart," her tackle, apparel and furniture, I hereby give public notice that on WEDNESDAY, the 26th day of March, A. D. 1862, at 12 o'clock, M., in front of the United States Court House, on Montgomery street, corner of Jackson, I will sell the said bark "Dollart," her tackle, apparel and furniture to the highest bidder for CASH, payable at the time of sale.

WM. RABE, U. S. Marshal.

The "Dollart" lays off Vallejo street Wharf, and can be inspected from sunrise to sundown daily. mar21-td

By order of the Hon. U. S. District Court, the above sale is hereby postponed until SATURDAY, March 29th, 1862, at 12 M.

WM. RABE,

mar27

U. S. Marshal.

EXHIBIT "D"

CHARTER PARTY

It is this day mutually agreed between Cptn J. H. C. Muggenborg, Master of the Hanoverian Bark "Dollart,"¹ for and on behalf of himself and Owners of the said Vessel of 311 Tons register, now lying in the Bay of de Castries,² and Mr Otto Esche,³ Merchant at Nicolaefsk, that the said Ship being tight, staunch and strong and every way fitted for the voyage from Castries Bay via Saugar Strait to San Francisco, California, shall load at Castries Bay a Cargo of Camels and or other merchandise the Charterer may ship, not exceeding what she can reasonably stow and carry over and above her tackle, apparel and provisions from bulkhead to bulkhead, and being so loaded shall therewith proceed immediately — wind and weather permitting to San Francisco, Upper California, via the Strait of Saugar to refresh and to take food, water and provisions at Hokodadi⁴ if necessary; and on delivery of the cargo according to the bills of lading signed by the Captain shall receive

¹ The *Dollart* shipped her first crew on June 12, 1856, at Emden, Hanover, Germany, bound for New Castle. She was owned by Albert Fahlen and S. H. Muggenborg, citizens of Hanover, and was under the Hanoverian flag. From London she went to Melbourne, Australia, and carried cargo between the Dutch East Indies. She discharged a cargo at Nicolaeski, Siberia, in September, 1861, while returning homeward.

² On the northwestern coast of the Gulf of Tartary. It was an important military and naval base in the Crimean War, and a chief commercial point in the northern Pacific trade in 1860. Boats plied regularly between San Francisco and this port during the summer.

³ It would appear that Esche had been in Nicolaeski since he went there in the spring of 1860 to purchase the first camels. He was a leading importer and commission merchant in San Francisco during the sixties, and conducted his business at 159 Jackson Street. Esche was naturalized on August 11, 1856, and his name appears in the Great Register of Alameda County for April 19, 1879.

⁴ Hakodadi (now spelled Hokodate) is the chief sea port on the southern coast of the island of Hokkaido, Japan. It became an open port by a treaty negotiated between the United States and Japan in 1854.

freight for the whole cargo the sum of Four thousand, five hundred Dollars U. S. Currency in full; of this freight money Two thousand Rubles to be prepaid before the sailing of the vessel from Castries Bay in gold coin or Russian money at Charterers option — the Ruble for seventy five cents American currency; and the remainder in Cash before delivery of the Cargo at San Francisco. For loading and discharging thirty five lay days are allowed.⁵ These Lay days to commence at Castries Bay the following day after the vessel is reported by the Captain to Charterer or Agent to be at her berth and ready for loading, and again at the port of destination when ready to discharge; the Ship to be detained at de Castries not longer than up to the 8th (eighth) of October, new style; if the vessel be detained by Charterer at Hakodadi and San Francisco above the stipulated lay days, demurrage to be paid at the rate of Fifty Dollars for every day so detained. The Vessel to haul at San Francisco so near as she can safely get to any wharf or place required by Charterer, the half of the Wharfage and of all inward expenses to be paid by Charterer. The Ship's water-casks and tanks so far as they are not wanted for the Crew to be for the use of the Camels, other means for carrying water to be furnished by Charterer, as well as the materials for constructing proper stalls for the Camels, this work to be done by the vessel.

The Cargo to be received and delivered at Ship's tackles. Three passengers to have free passage in the Cabin with regular Cabin fare for Three hundred Rubles in full, and no other passengers to be taken without consent of Charterer.

The Captain to pay three per cent for insurance of the amount of freight money to be paid before the sailing from de Castries.

The Ship to be consigned, at the port of discharging to Charterer or Agent free of Commission under this Charter.

Penalty for non-performance of the Charter Five thousand dollars.

And for the true performance of all the above stipulations and agreements both parties have hereunto set their hands at Nicolaessk of Amoor, this 6th/18th day of September 1861.

The Cargo to be delivered and taken from alongside the Ship at Charterers risk.

J. H. C. MUGGENBORG
OTTO ESCHÉ

Witness:

GUSTAV BRODROSER

EXHIBIT "E"

CONSULATE OF THE UNITED STATES OF AMERICA, AT HAKODADI, JAPAN

No. 3

Hakodadi November 8th 1861.

Pursuant to this accompanying warrant of survey, to us directed, by C. A. Fletcher Esq^{re} Acting U. S. Consul at this Port, we, the undersigned, repaired alongside and on board of the *Han: Barque "Dollart"* of *Emden* of the burden of [blank] Tons, or thereabouts, recently arrived in this port from *de Castris bay* (in a damaged condition, by reason of) [Part in parentheses crossed out] laden with *Camels* and after a careful and minute examination of (every part of her hull, spars, sails and rigging, do report as follows:) [Part in parentheses crossed out] said *Camels*, do report as follows: *The Stalls made for the Camels to be totally insufficient for the proper transportation of the animals. We recommend therefore proper Stalls to be built; Judging from what we the Undersigned saw last year on board the Caroline E. Foote. And we further report that, in our opinion, the expense of necessary (repairs to the) [Crossed out] said Stalls will be about Two dollars per Stall* In confirmation of which we are willing, if required, to attest.

Given under our hands at *Hakodadi Jap*: this 8th Eight day of November — A. D. 1861

[Signed] FRED WILKIE
THS. S. STEPHENSON.

I, the undersigned, Consul of the United States of America, at Hakodadi, do hereby certify that the foregoing are the true and genuine signatures of *Fredrick Wilkie — and Thos S Stephenson* — Surveyors appointed by me, of the *Camels*, on board *Bark Dollart of Emden* and as such are entitled to full faith and credit.

Given under my hand and Consular Seal, on the day and year above written.

[Signed] C. A. FLETCHER
U. S. Consul.

⁵ Muggenborg claimed nine extra days — five at Castris Bay and four at Hakodadi.

EXHIBIT "F"

A PORTION OF THE TESTIMONY TAKEN IN THE FEDERAL COURT

Jesse S. Hall

I was Mate of the Dollart I shipped at Nicolais about the middle of September 1861—I was cast away in the American bark Mongol in August.¹ I made the voyage to this port left here in February '62—I was on board was not on wages all the time—She had come from Batavia to Castris bay I was there when she arrived—she brought a cargo—There were 44 camels shipped at Castris bay—She has beams on her between decks but no deck—laid on them about 15 or 16 ft on top between them. They let 4 camels in between them. Had ballast in them—stones large & small—It was levelled as near as we could get it It was about 3 feet from the ballast to the beams—beams were about 1 foot or 14 inches wide—We had two rows of camels with heads amid ships—There were 2, 3 or 4 camels between the beams. The distance between the beams was about the same We put large poles fore and aft fastened to the stanchions which went from the beams to the kelson—The halters of the camels were fastened to these poles except two small ones which were allowed to move around. A lot of lumber was put on board by Mr Esche sufficient to make stalls.

The stalls were made at De Castris bay after the fashion recommended by Capt Worth of the Caroline E Foote They were taken down to put the camels in their place—After we had been out 5 days when we had lost 3 camels the stalls were partly put up. But we tried to put them up as they were at first—We put up some 20 or 25 stalls—We ought to have put up 44 stalls one for each camel—They did not prove sufficient—they were broken down

The ship lay at Castris 4 or 5 days after the camels were all on board from the 21 to 25th Oct² We could have put up these stalls during these days—I don't know why they were not put up. The poles for stalls were sent on board before we took in the first camel.

The want of stalls caused the animals to be thrown agn't each other and bruised—One night nearly all on the starboard were over on the port side found one dead one amongst them—There was a light in the hold after leaving Hakodadi—After leaving Hakodadi 2 of the Malay crew slept in the hold³ Previous to that there was no watch there.

6 or 7 died between Castris and Hakodadi—I think it was 6 One of the small camels was hung by the halter of a large one I found it dead myself This occurred at night—When I attempted to put up stalls I tried to give stalls to each one—The camels got under the poles as they lay down they slipped from one side to the other—We were 12 days from Castris to Hakodadi⁴—The hold was not cleaned during that time. The camels were not groomed or rubbed or cleaned during this time—The only other cargo was 2 or 3 bales of wool—The Captain gave me to understand that Mr Esche wanted him to get 3 men to take care of camels—He thought of taking 3 of the crew of our wrecked vessel—We went to see these men—Saw 2 of them the Capt went with me He told them he would give them \$5 a month that when we got down to De Castris or out to sea he would make the Malays take care of the camels and they would do ship's duty—No arrangement was finally made in my hearing—They came on board of us at Castris bay—Came down in a boat They did not take charge of the camels—

When the mate turned them to they refused unless they got \$15—finally some arrangement was made & they did seamans duty—They did not look after the Camels—Between Castris Bay and Hakodadi I looked after the camels so far as they were looked after at all fed them—Sometimes the Capt called me from the hold and told me my duty was on deck We had 3 or 4 days rough weather out of the 12—perhaps half the voyage to Hakodadi was squally & stormy

As a general thing the camels died during the night⁵—found them dead in the morning. I was not able to pay as much attention to the camels as I wished on the voyage to Hakodadi The Captain ordered me on deck twice then I stopped going down there—

I put all the stalls I could amidstships 25 to 30—They prevented the camels from getting together as long as they stood All those from the pump wells aft had no stalls. About ½ of these 25 stalls proved insufficient After the Captain spoke to me I paid no attention to the stalls. I continued to send men to feed them—sometimes once—sometimes twice—no regularity about it—Two died the day we went to Hakodadi

¹ This vessel had been wrecked in Castris Bay.

² In the testimony there is no explanation made by anyone as to why the ship remained so long after the camels were loaded. Efforts were made to get carpenters to build the stalls, but they refused to work among the camels.

³ There were five Malay seamen of a crew of eleven men.

⁴ The distance is about 800 miles.

⁵ No explanation given why they died at night. There was usually no light in the hold, and no one to keep the animals clear. They must have crowded each other to suffocation.

We arrived at Hakodadi the 6th left the 18th We were detained making stalls for the Camels The first 3 or 4 days Carpenters did not go to work—They came on board and went ashore again for some reason didn't like to work among the Camels I believe—The Hold was not cleaned out at Hakodadi I remember some men coming on board and looking at the stalls—Some 18 or 20 died between Hakodadi and San Francisco—One died in the port of Hakodadi—He died at night I think—I heard Mr Esche say he was going to have stalls made at Hakodadi that what we had were not sufficient—The stalls built at Hakodadi proved sufficient for the balance of the voyage—I heard the Captain say at Hakodadi that if the camels died he couldn't help it.

Between Hakodadi and San Francisco 3 Malays were appointed slept in the hold and were supposed to take care of them—There were on board the Capt, myself 3 white seamen and the Serang of the Malays The 3 white men were Gordon, King & Charles don't know his other name—There was also a man named Tom⁶

There were 11 Malays in all—Between Hakodadi and San Francisco the stalls were first cleaned out about $\frac{1}{2}$ passage—The whole passage was 70 days . . . —There was nothing laid over the ballast—Except we scattered some hay where the stones were worst—Where some 8 or 9 camels stood some poles were laid down over the ballast—In some places we scattered hay under them This we did for 5 or 6—We only scattered hay some two or three times in all. The stalls were cleaned out 3 times—The first and last time by the Captains orders the other time by mine—The 2nd time was about a fortnight before we got in—The third time was a few days before we arrived—

After the first cleaning only one or two died—Only one died after January 1. and it was about that time that the stalls were cleaned—The last death occurred after about the 1st of January. We arrived the 26th During the last part of the voyage the supply of food for them was scarce—We gave them a little every day—for the greater part of the passage we gave them as much as they would eat—a good deal of it was wasted—about 2 weeks before we began to use their food more sparingly—They had as much as they wanted between barley and Hay—The barley is heating—When going to Hakodadi we got short of hay—They didn't seem to do so well on it—

I suppose the Malays were intended to take care of the camels Sometimes they were called up in stormy weather to take in sail &c They did not stand their watch with the others of the crew—They did but very little besides feeding them They assisted to hoist up the camels We generally hoisted them up when they had been lying down more than one day. We would hoist them up & stand them on their legs—Sometimes this was neglected—I found unless they were helped up they got sick—They were never rubbed or groomed to my knowledge—On some of them tar was put on points that were chafed

Those under the main hatch were generally wet. This might have been kept sometimes dry by putting a sail over the main hatch—

. . . We used to hoist camels out between the Combing and the boat The Malays who took care of the camels were not efficient The camels that died looked pretty bad The calluses on their breasts & knees were chafed through looked as if they had had bad usage

The greater part of the camels died in the night—These Malays did not attend to their duties the last part of the voyage. There was not much to do at night except to see that they were clear of their halters and did not get their breasts up against the board that went fore and aft They couldn't work back. We had to get tackles on them and haul them back sometimes We lost some from that cause I think

The tonnage of the Dollart is 310 register carries about 400 tons—The sails of the vessel were very poor. Some of them were carried away—We had 2 new sails on board main topsail fore top mast stay sail—We lost fore sail main sail—3 top sails fore topmast staysail—2 top gallant sails—

I think the voyage might have been shortened 15 days with good sails⁷—

I remember when the Cabin was stove in. The roof of the house was broke in, in several places The weather at this time was stormy and rainy—For about a week it was not touched I spoke to the Capt about it He said never mind the passengers Let it go—When it was repaired, it was not sufficiently repaired it let the water down on my berth—It was not battened down properly—There was no obstacle to repairing it properly—The water came down after the repairs nearly as bad as before It didn't leak so much in the state room occupied by Mr Esche—We couldn't occupy our staterooms the Captain and I & the 2 Mates went down in the hold—We slept in the forward part of the hold in the hay near the hatch This accident occurred about $\frac{1}{2}$ passage between Hakodadi & San Francisco

⁶ His name was Thomas Croquet. Muggenborg names two other white seamen in his statement of expenditures: William Welch, the cook, and one named Dundas. They received \$25 per month.

⁷ Muggenborg accounted for the great length of the voyage by the loss of sails. He said the *Dollart* "lost a foresail three topsails, two topgallant sails, and a foretop mast-staysail."

The fare furnished to the passengers during just ten days was very good after that it began to grow worse. The last 4 weeks it was very bad indeed poor Japanese rice Russian black bread. I felt the effects of it myself—The Russian bread is very inferior—Salt beef No pork—pork given out

The salt beef was on the whole good enough as good as usual. The Cabin had potatoes about a fortnight from Hakodadi—They then used Mr. Esche's private stock he had 10 sacks. We had tea and coffee—Two bullocks were on board one for the ship & the other bought by the passengers. They also bought a sheep & pig. The bullock of the Captain did not last long—We had about $\frac{1}{2}$ a bbl on board at Hakodadi. Capt said he was going to get some more provisions at Hakodadi—Flour lasted some time because they used it very sparingly—This was not the usual fare of passengers—Whenever I have been passenger

The Cabin was not taken care of—Had a Chinaman for stew[ard] and the cook was a black man⁸. There was considerable high talk on board—Mostly in German. I didn't understand it. I helped Mr Esche up after he fell⁹—The hatchway is situated on the passage way at the bottom of the steps near the Capt's state room—This passage way was used by passenger's during the voyage—The hatchway opens on the stern of the ship—I never saw a hatchway in such a place—It is very unusual to have a hatchway in such a place. It was about $4\frac{1}{2}$ feet wide & perhaps a little longer. It is not very light there—If a person coming down is not looking he would fall right down where Mr Esche fell. It was about 4 o'clock—The hatch was taken off to let the cook down. The Malays sometimes took it off to get at the rice. The Captain was down there at the time seeing about the water

I heard Mr Esche halloa and assisted him up to his stateroom. He fell right across the combings of the hatch said he slipped—The stairs were short wooden—He was coming down the steps when he fell—didn't say any thing about not knowing the hatch was open—The weather was finer than it had been. The Captain knew this hatchway was used by the cabin passengers—

A lady passenger had fallen part of the way down before—didn't hurt her much—I came near falling into it myself—I recollect the Captain saying he was going to get some bushes and put over the ballast—and afterwards he spoke of getting some shavings—Nothing of the kind was done.

Cross Examined

I joined the Dollart on Saturday Sept. 27, at De Castris bay—went on board that day. Signed Articles Oct. 21. . . .

I wrote in the log book at the Capt's request
Logbook produced.

I just saw Mr Esche about the 12 or 15 Oct. We took in camels from the 10 to 21st. Logbook shows they commenced on 14th. These entries were not made at the time.

As near as I can remember some camels were taken on board before Esche arrived. The poles arrived somewhere between the first and the 10th. The Captain got them from Mr Esche's man on shore—He sent no nails or spikes—The poles were perfectly adequate for the purpose of making stalls—No planks were furnished by Mr. Esche—Planks are better than poles for stalls—Esche was on board for a week or 10 days before we sailed—I did not hear him make any objection to the mode of constructing the stalls

The stalls were made before we took any camels on board or Mr. Esche arrived

One camel died before we sailed from De Castris bay.¹⁰ (not sued for) After Oct 25 the log book was regularly kept by me

On the 26th one camel died this was the next morning after leaving. Camel died on 29th Oct—Can't tell what the cause was

Nov. 2d—camel died—don't know the cause

Nov 6th 3 camels died—We were then going into Hakodadi. One died after we got in.

I do not know that they died for want of hay—The Hay did not last to Hakodadi

We were out of hay for 3 or 4 days. gave them plenty while it lasted

Nov. 23d a camel died—

We left Hakodadi Nov. 18th

Nov. 24th camel died don't know the cause

⁸ No other reference is made to a black man in the records. No doubt this person was one of the Malays.

⁹ Esche was not the only one aboard who had the distinctive pleasure of tumbling down the hatchway. Mrs. Muller and some of the crew had the same experience. When Esche arrived in San Francisco he went that evening to see Dr. Regensberger, a practicing physician of eleven years' experience. He testified that Esche had his sixth rib on his right side broken and also contusions of the short ribs which irritated the pleura and caused great pain, difficult breathing, and coughing.

¹⁰ Of the twenty-four camels that died during the voyage, seventeen died between Hokodadi and San Francisco.

Nov. 28th camel died — don't know the cause
 Dec. 2d camel died
 Dec 6th camel died
 Dec 9th camel died
 Dec 14th camel died
 Dec: 15 camel died
 Dec: 18th camel died
 Dec: 19th camel died
 Dec: 21 camel died — 2 dead ones removed
 Dec: 22 camel died
 Dec 25th camel died
 Jan'y 1. camel died
 Jan'y 18th camel died

On the 3d November log book shows that one calf camel was choked by another's halter.

Nov. 30. The protest of the Mr Esche entered in the log book is in my handwriting and Mr Esche's signature is written by me

The Captain gave me a protest in two languages — I made a faithful copy of the English translation

I was put off duty from the 5th to the 20th October — The Captain & I did not agree together at all. He wanted to be Captain & Mate both. There was some talk between me and Mr Esche about his wanting to get vessels to run between De Castries bay & Hakodadi — Nothing about the Dollart. The stalls except two were taken down to take camels on board. The new stalls were made at Hakodadi of plank — Good stalls could have been made out of these poles but they were not made. The plank stalls were made by Esche's orders.

Mr Esche used to go down once every two or 3 days.

I administered oil to the camels that were sick

I heard there would be a lawsuit before I left Hakodadi. I live at the Fisher House — Mr Esche pays my board — Mr E. made me a present of \$50 — after my arrival — that's all he has given me — He told me at Hakodadi that if I looked after the camels and took an interest in them he would give me a gratification

I put the protest in at by Captain's orders — he said Mr. Esche suggested it — I did not make the entry then but a few days after —

Mr Esche did not superintend the construction of the stalls at De Castries

He ordered them made at Hakodadi — did not superintend their construction in person. I think the American consul sent them on board. The same kind of stalls were furnished to the Dollart as to the Caroline E Foote — The original protest which I copied into the logbook was handed to me by the Master — I have the original — I recognize my handwriting in the copy in the log book and I remember the fact of writing it — There was no reference to the bark Dollart in my conversation with Mr Esche — The first of these conversations occurred at De Castries bay —

Proper stalls could have been made of these poles — Both the nails and ropes would be required principally ropes — We had very few nails on board — It is very likely that I omitted to note in the log book all the deaths of camels that occurred. I frequently failed to write up the log on the day — I say what I said before that I think the greater part of them died for want of proper care and attention.

Andrew McFarlan

I have brought camels from the Amoor River in June 1860. We arrived here in the latter part of July — came in the Caroline E Foote from D C Castis bay.

Brought over 15 camels — none died during the voyage — They were so thin poor when I took them on board — The stalls were made of poles fastened together by ropes — We used ropes principally. A piece of plank was nailed fore & aft along the skin — and the poles athwart ships were lashed to this.

We first levelled off the ballast — broke the large stones and strewed it over with fine gravel & a little earth —

We cleaned the stalls nearly every day. I and another man attended to them — I was employed by Mr Esche — the other man also — We kept a watch on them day & night. I think two men could have taken care of forty — We always kept a light there — It is necessary to watch them to see that they do not get foul with their halters &c. I cleaned the camels — brushed them off every three or 4 days. We had lashings for these camels — did not find it necessary to use them.

We had strong breezes — our voyage was 56 days from De Castries.

We did not have a stormy passage — I was under Captain's orders — I understood the freight paid was 100 dollars — I don't know whether my passage was paid

I made the lashings myself don't know who furnished the canvas. I never had any especial charge of live stock except on this occasion —

Three of the camels died after I took charge of them before they were put on board

One of them died the 3d or 4th day after we arrived

Another about a month afterwards.

The camels had been at De Castris before they were shipped 5 or 6 months — They were in a very bad condition — The winter was very severe and cold — colder than in the Northern states. They had hay but not quite enough — Their condition when they went on board was poor and feeble,

This camel is called the "Bactrian"

The one that died 3 or 4 days after our arrival died from general debility — We had not more than $\frac{1}{2}$ allowance of food on the voyage

J. Bandmann

We are agents of Mr Esche¹¹ — We were consignees of these camels. I have received various lots of camels We sold this last lot of 23 camels some from the Dollart and some from the Foote — The 23 sold for \$6000 purchased by Mr Callbreath of Victoria British America — Was present when the last paym't on charter was made —

Receipt \$755.56 produced — "in full as per charter —" Capt M claimed some lay days — They had a conversation about it — Capt M. gave up his claim and I paid the am't due after deducting sums advanced to Capt by Mr Esche — Mr. Franks Hanoverian Consul was present. It took place on the same day the receipt was signed.

This paym't was a settlement of the moneys due under charter party — Nothing was said by Mr Esche respecting any other claim against the Captain — The latter made a claim for lay days which he gave up in order to have a settlement

Charles Landes.

I am a seaman — was one of the Dollart's crew — joined the ship at Nicolaski about a week before the camels came on board. Helped make the stalls at De Castris bay — There were poles and nails and pieces of rope finished planks. The stalls were finished 2 or 3 days before the camels came on board. Mr. Esche was then on board.

He said to the Captain that he didn't think the stalls could be any better than they were —

About 3 stalls were taken down to let the camels in — They were put up again the night before we sailed All the camels had stalls from Castris Bay to Hakodadi —

I think about 4 or 5 died on the way to Hakodadi — couldn't say certainly — They gave out when we were 4 da. out Helped to skin 3 or 4 camels — They were all swelled out as hard as a drum — after they had been eating barley — It was strange food to them, They refused to eat it for 2 or 3 days

I was in the hold every day I don't think there could have been better accommodations made for them — At Hakodadi other stalls were put up —

The Captain told me, that Mr Esche wanted 3 men to look after his camels — and afterwards the Captain said E said he didn't care who took care of them and that he the Capt was obliged to furnish 3 men — so he put the 3 Malays because the white men were better to work ship.

I never heard any other reason. I heard at the Consul's office that we were to take care of the camels —

The Captain came to Castris Bay said he wanted 3 men to take care of camels — said the owner had agreed to give 5 dollars a month — When we got down to Castris the Captain told us that he didn't want Americans to look after the camels, they might poison them — He told us he would give us \$12 per month, I didn't hear anything said at the Consul's office about who was to take care of the camels.

Mr. Esche requested that the 3 Malays might attend to the camels for otherwise he could have got 3 Americans to mind them. After leaving Hakodadi used to go down in the hold every day. The crew assisted the Malays in setting up the camels

I did not see any improper treatment of the camels. Everything that could be done was done. Never heard the captain tell the mate not to go down in the hold. Have heard him tell him to go — He would go and walk the deck. I was cook on board in place of the cook was injured.

There was white bread — China bread Russian bread plenty of potatoes — beef pork — butter tea coffee sugar — tongues 2 bbls of flour — one full the other 3 parts full — we

¹¹ Julius Bandmann and H. Nielsen were in business in San Francisco for several years as importers and commission merchants. Bandmann took personal charge of the camels shipped by Esche and arranged to exhibit them for the German Benevolent Society of which Nielsen was treasurer.

used it until we got in peas — beans — plenty rice — plenty — 2 kinds of rice — Japanese and another kind — The Captain had some preserves. There was macaroni on board about 10 or 12 lbs — Mr Esche had some private stores — Champagne — porter preserves — potatoes. I never had better living on board of any vessels. We had the same living as the Captain and officers. The pork and beef were very good.

Mr. Hall did not attend to his duties as first officer. Have seen him in liquor on board — on New Year's day Mr E. gave him a bottle of brandy I believe —

Cross Examined

I attribute the deaths of the camels between De Castris & Hakodadi to the barley — They were swollen out — The Hay gave out about 4 or 5 days after leaving De Castris —

They wouldn't eat barley for 3 or 4 days — About the 8 or 9th day they eat barley — no barley was given them until the hay gave out. I gave one camel some hay and some water. This was [all] I did in the way of feeding. The camels refused to eat barley for three days after the hay gave out. My opinion is that all the camels that died between Castris & Hakodadi died from the effects of the barley — My only business in the hold was to help the camels up when they got down — I went down sometimes for water. We had 2 casks on deck but they gave out after about 9 days.

My passage was paid by the Consul from Nicolaski — paid the Captain \$10 apiece for each of us. Can't say why they refused to let Gordon mind the camels. Gordon said he wanted to mind the animals. He told me so after we left the consul's office — Esche & the Capt had remained in the office.

Heard the Captain tell the Mate to go down and look after the camels. He wouldn't do it at the time — I suppose because he had been down there a short time before — or intended to go down soon —

Can't account for the deaths between Hakodadi & San Fran^{co} except they had some sickness.

I thought the bullock, pig & sheep belonged to the ship. didn't know they were Mr Esche's —

I cooked about the middle of the voyage

When we first came on board the two barrels of flour were on board — We had about a barrel and a third of a bbl at Hakodadi —

The pork gave out 2 or 3 days before we got in — Beef likewise. We had white biscuit the whole voyage. There is some on board the ship yet.

The Potatoes gave out about 3 weeks before we got in — The tongues were good — They didn't seem old to me. We had a bbl & ½ of beans & about as much peas when we left Hakodadi.

Andrew I Worth

Am Master of the Caroline E Foote. She is a topsail schr. Have made 3 voyages in her to De Castris bay & back. I arrived here a year ago last July with the camels spoken of —

On my last voyage I sailed Oct 12. Arrived Nov 15 1861. I had 10 camels on board the last time — They were stalled in the same way as on the previous voyage — bedded &c. Four of the camels died¹²

As soon as they got down I gave them oil — If I had given them barley all the way I should have killed them all —

I had both cargoes groomed. When they got down I had their legs taken out from under them and rubbed with gunny bags &c. The lot on the previous voyage required more rubbing because they shed their coats on board —

The poles furnished to the Dollart were the same as I had used — I explained to Captain Mugginsborg how they were to be made and I went in twice to show him how they were made — I delivered to the Dollart or Mr Esche some nails & spikes — some 80 or 100 lbs — I used what I required and gave the ballance to Mr Esche's agent —

I gave orders for the making of the spikes to Mr Rebsker Mr Esche's agent

I cleaned out the stalls twice a week —

When they were ill I had them rubbed — When they were sick I fed them with corn meal and hot water — poured it down with a bottle — There was no special man on board to take charge of these camels. My charter was \$2250 — took 50 or 60 tons. The freight for the camels was about ½ —

¹² One died before Worth left Castries Bay. The total number of camels brought into California by Esche in three shipments was forty-five.

There is no difficulty in bringing camels over with proper care and proper food —

None of the camels died before the hay gave out — The first one died about 20 days out.

I had a light in the hold and a man on watch the whole time — On the 2d voyage a man was up and down every $\frac{1}{2}$ hour — You could stand by the hatch and see all the camels — I put grease on them Whenever they were chafed

I made a kind of pad for the ends of the poles with hay and canvas. I explained this to Capt Muggenbaugh I saw the stalls all put up temporarily with old ropes ends but I had to take them down before he could get the camels

I smoothed off the ballast and covered it over with coarse gravel and put over that me bark and leaves.

They eat barley about 8 or 10 days before I discovered it had a bad effect on them.

I spoke to Capt M. at Mr Esche's request — I told him how I fixed the beds of the camels — I told him he had better get bushes or shavings from on shore he could have got or 5 boat loads — I think he saw my boat's crew getting gravel —

I have brought 2 cargoes of camels I think that by the usage of the trade the precautions and measures I took were such as my duty required — They were necessary for the safe transportation of freight of that description I had no motive or inducement to take special care of these camels —

Capt Brown

I have been on board the Dollart to examine the vessel.

The main rigging is $\frac{2}{3}$ ds worn standing rigging good. The sails I saw were of very good hemp — want repairing — $\frac{1}{2}$ worn — the sails are fit to repair again —

Didn't see any rot about the sails I have carried elephants — rhinoceroses tigers — It is customary for the shipper of the animals to send a man to take care of them.

I have carried a Brahmin bull It was washed — and cleaned also the elephants I saw the foresail and the top sail These were the only sails I saw —

I knew of the arrival of the Dollart Mr Esche spoke to me about attending to his business — He reported her as consigned to us — The usual place of discharge at this port is a wharf She finally came into Clay st on the South side —

On Monday afternoon I went with the Captain to engage a berth I found a berth — the Wharfinger came to me in the evening — I did not engage a berth for I didn't know who was to pay the bill — Muggenbaugh knew of this — She didn't haul in for 3 or 4 days The berth remained vacant & she finally went into it —

The Captain told me he wished to have the balance of freight guaranteed to him before she discharged I don't know what arrangements were made with the wharfinger Had nothing more to do with it

CAMELS IN THE SKETCHES OF EDWARD VISCHER

By FRANCIS P. FARQUHAR

Edward Vischer (1809-1879) was a native of Regensburg (Ratisbon) Bavaria. For many years he was engaged in commercial enterprises on the Pacific Coast, during most of the time with headquarters at Acapulco, Mexico. In 1842 he visited California for the first time and in 1849 returned and settled in San Francisco. Although primarily engaged in business as an agent and commission merchant, a talent for drawing and an appreciative eye for the picturesque led him to make sketches of scenes and objects wherever he went. He was especially attracted by the ruins of the Spanish missions and his drawings of them form a valuable record of their appearance at that time. Trees seem to have been next in his affections, closely followed by mountain and rural scenes; and, being a man of commerce, he did not neglect the novel and significant aspects of an era in which machinery was just beginning to have a world-wide effect. With the accumulation of material and with the broadening scope of his opportunities for sketching, Vischer conceived the idea of publishing a collection of views illustrating the natural characteristics of California, the life and movement of the changes coming over them, and the elements of commerce and industry. His announced aim was to be graphic rather than artistic. Beginning with a series of a dozen lithographed plates of the Mammoth Tree Grove, published in 1862, this endeavor culminated in the *Pictorial California* of 1870. The latter contains upwards of one hundred and fifty views, a large part of which are photographs of his own sketches. Some, however, are copies of sketches, paintings and photographs by others — contributions which he gratefully acknowledges. The album of views was accompanied by a volume of 132 pages of printed text.¹ Vischer also published in 1862 a separate collection of views of the Calaveras Mammoth Tree Grove, composed of photographs of sketches, most of which appeared later in the *Pictorial*. This album was also accompanied by text, which was reissued in an enlarged pamphlet in 1864. Another group of views was issued in 1862, comprising sketches of the Washoe Mining District. With this, also, there was a descriptive pamphlet.³

Several of Vischer's sketches show groups of camels more or less prominent in the scenes. The presence of the camels is explained in the preface to the text of the *Pictorial* as follows:

¹ The title of the volume of text is as follows: *Vischer's Pictorial of California. Landscape, Trees and Forest Scenes. Grand Features of California Scenery, Life, Traffic and Customs. In five series of twelve numbers each, with a supplement, and contributions from reliable sources.* San Francisco, April, 1870. Printed by Joseph Winterburn & Company, No. 417 Clay Street, between Sansome and Battery streets.

² *The Forest Trees of California. Sequoia Gigantea. Calaveras Mammoth Tree Grove. Photographs, from the original drawings of Edward Vischer, with contributions from various sources.* Edward Vischer, 515 Jackson Street, above Montgomery, San Francisco. (1862). Irregular paging.

³ *Sketches of the Washoe Mining Region: photographs, reduced from originals, twenty-five numbers.* By Edward Vischer. San Francisco: Valentine & Co.: Commercial Steam Printing Office, Nos. 517 Clay and 514 Commercial Streets. 1862. 24 pages.



Eastern Descent of the Sierra Nevada CARSON CANON. Entrance of the Debris on East fork

VIEW NO. 23 OF VISCHER'S PICTORIAL OF CALIFORNIA



SIERRA NEVADA SCENERY. LAKE near the SUMMIT of EAST RANGE, on the BIG TREE ROUTE

VIEW NO. 43 OF VISCHER'S PICTORIAL OF CALIFORNIA

Human or animal groupings, wherever introduced by us, are either such as we actually sketched on the spot, or so selected as would be most likely to be seen in the peculiar locality and under the circumstances, thus designating the degree and kind of road-travel in the centres of traffic of particular routes. We must, however, account for the recurrence of camels, in sketches relating to the Big Tree Route, by the circumstance of our having traveled over that route, for the sake of studying their habits, with the little caravan of nine Bactrian camels, taken over the Sierra Nevada to Washoe in 1861. (p. 5.)

Further comment is found in explanation of the individual sketches. Six of these appear in the *Pictorial*, being nos. 6, 18, 19, 23, 43, 47. There is one lithograph view of the Mammoth Tree portfolio, Plate IX, which does not appear elsewhere. The views in the Washoe and Big Tree albums showing camels are duplicated in the *Pictorial*. The following quotations are taken from the sources already mentioned. The numbers refer to the plates in the respective albums: the remarks pertaining to view No. 6 in the *Pictorial* are also applicable to Plate IX in the lithograph portfolio.

Vischer's Pictorial of California

No. 6—*Bactrian Camels Entering the Mammoth Grove.*

Here we have before us the principal avenue to the grove, doubtless well impressed on the mind of all who have visited it; with two of the mammoth trees, "the Guardsmen," standing like the sentinels of an outpost, at the southwestern extremity of the grove; a magnificent guard to that Druid's shrine. The height of these trees is about 300 feet, and their circumference at the base respectively 65 and 69 feet.

The remains of the original Big Tree (prostrate on mother earth) are here visible at full length; its stump serves as pedestal to the pavilion; the log, partially hid by the bowling alley erected over it, indicates the direction in which the end-piece of that monstrous tree is seen emerging from its housing. The gap on the right side of it shows the path which, by half an hour's walk through the grove, leads round to the hotel, the building just discernible behind the "guardians," a beacon, welcome alike to the wayworn overland emigrant, the recruiting invalid, the pleasure parties which flock to it from the mining towns and the lower country, and occasionally to visitors from far abroad, bent on scientific research.

A drove of nine Bactrian Camels, imported from the Amoor River, in 1861, and destined for Washoe, for packing purposes, was, in the fall of the same year, taken over the Sierra Nevada, by the Big Tree route, and is here represented entering the mammoth grove. (p. 17.)

No. 18—*The Mammoth Grove Hotel and Surroundings.*

This number represents the farm, hotel, and grounds, taken from opposite the clearing of about eighty acres, as the only spot affording a general view of the forest. The "Guardsmen" here appear in full height, to the right of the picture, while the stump and log are indicated by the pavilion and buildings erected on them. A spacious structure has replaced the original Big Tree Cottage: the foreground of the hotel was to have been laid out as a park, the ornamental shrubbery of which would have formed a striking contrast to the giant proportions beyond.

The remnants of felled trees in the foreground, a chaotic wilderness, show this settlement as an oasis in the apparently boundless forest. As an evidence of there having once existed Indian wigwams in this neighborhood, we notice the holes in the granite boulder close by the fence, which, with the aid of a pestle, formed the usual means of pounding their acorn food. Had their Seers possessed the gift of second-sight, the gaunt, spectre-like forms of the camels, as we saw them passing through the grove, would have harrowed them with fearful visions of intruders from Asia, as well as from the land of the pale faces. (p. 30.)

No. 19—*Hermit Valley, Holden's Station, on the Upper Mokelumne.*

Hermit Valley, pleasantly situated near the headwaters of the Mokelumne, is the centre of traffic of the so-called Big Tree route over the Sierra Nevada, leading from the Calaveras Mammoth Grove, over the Summits, and, through Carson Cañon, to Alpine District, and the Carson Plains; thus connecting the old Carson emigrant

road (which formerly was made to strike off towards Lake Valley) with the more southern counties on the California side. . . .

The settlement here represented, and formerly simply known as Holden's Station, owes its present poetic name to Lady Franklin, who visited this spot, in 1862, from the Big Trees, and, like ourselves, charmed by the seclusion of the locality, between the two granite ranges, and worthy old Holden's—the pioneer settler's—hearty welcome, named it Hermit Valley.

Our sketch is taken in fall. Holden's modernized log house, on the skirt of the forest-clearing, with a few of the tall pines yet left standing on the road-side, exhibiting a winter's snow gauge, or record, and a tamed eagle's summer perch; the baker's, and also the blacksmith's trade carried on in the open air—and teamsters chatting in the corridor, while their horses (blanketed) are feeding around the ponderous wagons, or lustily rolling in the morning sun—Holden and Ritchie, the proprietors of a now lively road-station, are standing on the roadside beyond, as are the cook and hostler nearer to us, to await the passing Pony Express. An immigrant train is just passing, on its way to California, its mules scared at the sight of some of our camels, who, strayed from the corral, have come to bask in the open space. Other trains are encamped near by; the smoke in the timber, denotes the camp-fires of a whole Cherokee Colony, en route for Stockton. (pp. 30-32.)

No. 23—*Carson Cañon—Entrance from the California Side.*

[The text does not mention the camels.]

No. 43—*Summit Lake.*

That nothing should be wanting to complete the awful grandeur of this solitary wilderness, the spectre-like forms of several of our camels, having strayed from our encampment on an adjoining lake (forest-bound, yet encircled by rich meadow land) appear in the foreground, noiselessly grazing on the rich sward of the near shore, or nibbling on the branches of over-hanging trees. (p. 64.)

No. 47—*Encampment with the Camels, on the descent towards Carson Valley.*

Bactrian camels, imported from the Amoor River, and brought over the Sierra Nevada, (to convey salt from the Walker River District to Virginia, for mining purposes,) now halting in sight of the Carson Plains, and, for the first time since their voyage, snuffing the air of the desert. Their instinct enables them to recognize a congenial region, nearly resembling their native wilds in Tartary.

Traveling with this drove on the occasion of our inspection of the Big Tree Route, we could not but observe with interest the peculiar habits of these sagacious and much-enduring animals. Seemingly listless, they notice everything, and are fond of overlooking a wide range of scenery. On a halt, though fatigued from a day's journey, if they discern any eminence near the camp, they like to climb it, to obtain a more extensive view, and, with their heads towards that direction, quietly kneel down, as though in contemplation. They are less fond of becoming themselves the subject of observation, especially from strangers, and when annoyed by their curiosity, give unmistakable evidence of impatience. Though usually slow in their movements, their attitudes are continually changing, rendering it difficult to sketch these animals from nature.

A lot of camels subsequently imported from the same source were purchased for the Cariboo mines. But, previous to any of these trial-importations from Tartary, undertaken by Mr. Otto Esche—formerly a merchant of San Francisco, now established in Nicolajeffsk—the Syrian camels, imported by order of the United States Government, in 1847 [1856], were brought to this coast, by the Albuquerque route, with the surveying expedition under Lieutenant Beale. (pp. 66-67.)

Mammoth Tree Grove Album

Plate IX. The Mammoth Grove Farm, Hotel and Grounds.

[The explanatory text is, with a few slight differences, the same as that for No. 18 of the *Pictorial*.]

Sketches of the Washoe Mining Region

No. 24—*Descent to Carson Valley.*

[The view is the same as No. 47 of the *Pictorial*. Because they are an earlier version and because they vary somewhat from the text of the *Pictorial*, the explanatory passages are quoted here in full.]

Bactrian Camels, imported from the Amoor River and brought over the Sierra Nevada (to convey salt from the Walker River District to Virginia for mining purposes,) now halting in sight of the Carson Plains, and for the first time since their voyage, snuffing the air of the desert. Their instinct enables them to recognize a congenial region, nearly resembling their native wilds in Tartary.

We take this opportunity for introducing the Ship of the Desert.

Traveling with this drove on the occasion of our inspection of the Big Tree Route, we could not but observe with interest the peculiar habits of these sagacious and much enduring animals. In their apparent listlessness they notice everything, and are particularly fond of overlooking a wide range of scenery. On a halt, though fatigued from the day's journey, if they discern any eminence near the camp, they like to climb it to obtain a more extensive view, and with their heads toward that direction patiently kneel down, seemingly to rest in contemplation. They are less fond of becoming, themselves, the subject of observation, especially from strangers, and when annoyed by their curiosity, give unmistakable evidence of impatience; they unceremoniously throw their cud into the face of the offender, and then turn away with something between a moan and a groan, with the most ludicrous gestures of contempt.

Though usually slow in their movements, their attitudes are constantly changing, and we found it so difficult to sketch these animals from nature, that at last we preferred to confine our study to a close observation of their habits so as to render their attitudes from memory. Once, we thought to have a sure thing, while some of them were feeding — but the Nestor of the group seemed to suspect our intention; in the next moment every head was turned round, and before we had even secured an outline, the snouts of the five animals that had appeared so absorbed in their meal, by rubbing against our paper, put an effective protest against all further portraiture. (p. 22.)

California at the Close of 1863

[In this seven-page folio there is found the following brief mention of camels.]

We may here mention, that in September, 1861, a drove of *Bactrian camels*, which had been imported the year previous from the Amoor River, was taken over the Sierra Nevada to Washoe, and has since then been employed in the transportation of salt from the Walker District to Virginia. A lot subsequently imported from the same source, was purchased for the Cariboo mines. But previous to any of these trial importations from Tartary, the Syrian camels, imported by order of the U. S. Government, 1847 [1856], were brought to this coast, by the Albuquerque route, with the Surveying Expedition under Lieut. Beale. (p. 4.)

A CONTRIBUTION TOWARDS A BIBLIOGRAPHY OF THE CAMEL

With Particular Reference to the Introduction of Camels into the
United States and the Camel Pack Trains in the
Western Mining Camps

By WILLIAM S. LEWIS

WITH ADDITIONS BY A. A. GRAY AND FRANCIS P. FARQUHAR

Books, Periodicals, and Government Reports

- AMERICAN CAMEL COMPANY — Charter of the American Camel Company, Granted by the State of New York; with the Natural History of the Camel. New York: published by the Company, 1854. 15 pages.
- New York Session Laws, 1854, Chap. 229. (N. Y. *Senate Journal*, 1854, p. 646; N. Y. *Assembly Journal*, 1854, p. 1011.)
- Appleton's Journal* — The Ship of the Desert. August, 1869. Old Series, Vol. 2, p. 34.
- Asiatic Society of Bengal* — Documents Relative to the Application of Camel Draught to Carriages. *Journal of the Asiatic Society of Bengal*. Calcutta: 1840. Vol. 8, pp. 591-605.
- American Legion Monthly* — January, 1928. p. 12.
- BAKER, W. E. — Note on the Fossil Camel of the Sub-Himalayas. *Journal of the Asiatic Society of Bengal*. Calcutta: 1835. Vol. 4, pp. 694-95.
- BALLINGER, LANGDON — A Camel Hunt in Arizona. *Outing Magazine*. September, 1900. Vol. 36, p. 656.
- BANCROFT, H. H. — Chronicles of the Builders. San Francisco: The History Co., 1891-92. Vol. 3, p. 596.
- History of Nevada, Colorado and Wyoming. San Francisco: The History Co., 1890. pp. 249-50.
- History of Washington, Idaho and Montana. San Francisco: The History Co., 1890. p. 428.
- BARTLETT, JOHN RUSSELL — Personal Narrative of Explorations and Incidents in Texas, New Mexico, California [Etc.]. New York: D. Appleton & Co., 1854 (2 vols.). Vol. II, pp. 576-84.
- BELLEFONDS, LINANT DE (LINANT BEY) — Notes on the Dromedaries met with in Egypt. (Translated by Major Henry C. Wayne, U. S. A.) *Senate Executive Document No. 62*, 34th Cong., 3rd Sess., 1857. pp. 64-71.
- BONSAL, STEPHEN — Edward Fitzgerald Beale, a Pioneer in the Path of Empire, 1822-1903. New York and London: G. P. Putnam's Sons, 1912. pp. 198-229.
- BREWER, WILLIAM H. — Up and down California in 1860-1864. Edited by Francis P. Farquhar. New Haven: Yale University Press, 1930. pp. 26, 30, 41, 344.
- Bulletin Officiel du Ministère de la Guerre* — Instructions sur les Convois de Chameux du 25 Avril 1902. Vol. MIX de l'Édition Méthodique.
- BURN, D. B. — Notes on Transport and on Camel Corps. Stationary Office, London: 1887. 318 pages.

CHARTER

1

OF THE

AMERICAN CAMEL COMPANY,

Granted by the State of New York;

WITH THE

NATURAL HISTORY OF THE CAMEL;

SHOWING THAT THE CAMEL IS THE ANIMAL OF ALL OTHERS THE BEST ADAPTED FOR
THE BUSINESS OF TRANSPORTATION OVER THE DESERTS LYING
BETWEEN THE MISSISSIPPI AND THE
PACIFIC OCEAN.

NEW YORK:

PUBLISHED AT THE OFFICE OF THE COMPANY.

1854.

- CARBUCCIA, J. L. — The Anatomy of the Dromedary. (Translated from the official report of General Carbuccia by Dr. S. A. Engles, U. S. N.) *Senate Executive Document No. 62*, 34th Cong., 3rd Sess., 1857. pp. 91-95.
- Du Dromadaire. 1853.
- [Reports upon the Use of the Camel in Algiers.] Quoted in *Senate Executive Document No. 62*, 34th Cong., 3rd Sess., 1857. pp. 83-91.
- California Historical Society Quarterly* — Reminiscences of Edwin Franklin Morse. December, 1927. Vol. VI, No. 4, p. 347.
- Review of Lesley's "Uncle Sam's Camels" by Francis P. Farquhar. June, 1930. Vol. IX, No. 2, pp. 182-84. (Bibliography.)
- California History Nugget* — November, 1924. Vol. 2, No. 2, p. 23.
- California State Legislature* — Report of the Committee on Internal Improvements on the Use of Camels on the Plains. May 30, 1855. *Senate Document No. 24*, Session of 1855. 11 pages. (See *Senate Journal*, 1855, pp. 678, 806.)
- CARROLL, CHARLES C. — The Government's Importation of Camels: A Historical Sketch. (U. S. Bureau of Animal Industry, Circular No. 53; also in *Twentieth Annual Report of the Bureau of Animal Industry*, for 1903, pp. 391-409.) Washington: Government Printing Office, 1904. 19 pages.
- CAUVET, G. — Le Dromadaire d'Afrique. *Bulletin de la Société de Géographie d'Alger et de l'Afrique du Nord*. Alger: 1921. Année 26, pp. 175-96.
- Le Chameau. Paris: J. B. Baillièrre et fils, 1925-26. 2 vols. (Bibliography in Vol. 2.)
- Chambers' Journal* — Ship of the Desert. Sept. 21, 1861. Vol. 36, pp. 187-89.
- The Haunts and Habits of the Camel. June 4, 1864. Vol. 41, pp. 266-68.
- COLE, ARTHUR C. — Camels in the United States. *History Teacher's Magazine*. June, 1913. Vol. 4, pp. 156-57.
- COLOMBARI, COLONEL F. — The Zamboureks, or the Dromedary Field Artillery of the Persian Army. (Extracted from *Spectateur Militaire*, 1853; translated by Bvt. Major Henry C. Wayne, U. S. A., 1854.) *Senate Executive Document No. 62*, 34th Cong., 3rd Sess., 1857, pp. 201-38.
- CONSIDINE, JOHN L. — Jeff Davis' Camels in Arizona. *Sunset Magazine*, May, 1923. Vol. 50, pp. 31, 79.
- Jeff Davis and the Camels. *Columbia*, December, 1929. pp. 22-23, 33.
- CONYNGHAM, H. M. L. — Burden Camels: Their Management and Diseases. London: Baillièrre, 1904. 24 pages.
- CROSS, HENRY EUSTACE — The Camel and its Diseases. London: Baillièrre, 1917. 151 pages. [Also, by the same author, Bulletins 72, 76, 77, 98, of the India Agricultural Research Institute, Pusa, 1917-1921.]
- DAVIDSON, PIRIE — *Alticamelus Alexandrae*, a New Camel from the Barstow Upper Miocene of the Mohave Desert. *University of California Publications. Bulletin of the Department of Geological Sciences*. Berkeley: 1923. Vol. 14, No. 12. (Bibliographical footnotes.)
- DAVIS, JEFFERSON — Jefferson Davis, Constitutionalist: His Letters, Papers and Speeches. Jackson, Miss.: 1923. (10 vols.) References in Vols. 2 and 3.
- Report of the Secretary of War. U. S. War Department. (Reports for 1853-1856.)
- Dearborn Independent, The* — Jefferson Davis Brought Camels to the U. S. December 26, 1925. pp. 19-20.

- DESCHAMPS, C. — Le Méhariste Saharien. *Bulletin de Société de Géographie et d'Archéologie d'Oran*. Oran: 1909. Vol. 29.
- DISOSWAY, G. P. — [Reference to use of camels by the Army in Texas.] *National Magazine*. New York: December, 1857. Vol. 11, pp. 481-88.
- Eclectic Magazine* — Haunts and Habits of the Camel. (Reprinted from *Chambers Journal*, Vol. 41.) 1864. Vol. 63, p. 68.
- FABENS, JOSEPH WARREN — The Uses of the Camel, Considered with a View to His Introduction into Our Western States and Territories. New York: Carleton, 1865. 32 pages.
- The Camel as Suitable for the Overland Route to California. *Gazlay's Pacific Monthly*. May, 1865. p. 410.
- The Camel Hunt; A Narrative of Personal Adventure. New Edition. New York: George P. Putnam & Co., 1853. 219 pages. [Fiction: "There is a purpose in it, and the signs of the times indicate that the purpose will yet be fully accomplished."]
- FARISH, THOMAS EDWIN — History of Arizona. Phoenix: 1918. 8 vols. (References in Vol. 1, pp. 354-63.)
- FARQUHAR, FRANCIS P. — Review of "Uncle Sam's Camels" by Lewis Burt Lesley. *California Historical Society Quarterly*. June, 1930. Vol. IX, No. 2, pp. 182-84. (Bibliography.)
- FLEMING, WALLTER L. — Jefferson Davis's Camel Experiment. *The Popular Science Monthly*. February, 1909. Vol. 74, No. 2, pp. 141-52. (Bibliography.) (Reprinted in *University Bulletin, Louisiana State University*. Baton Rouge: April, 1909. Series VII, No. 1, Part 2.)
- FLOYD, JOHN B. — Report of the Secretary of War. U. S. War Department. (Reports for 1857-1860.)
- GAUTIER, E. F. — Les Méharistes. *Revue de Paris*. Année 17, 1910. Vol. V, pp. 648-72.
- Gentleman's Magazine* — Ship of the Desert. December, 1870. New Series, Vol. 6, pp. 59-67.
- GEORGES, DR. — Du Chameau pour le Transport des Malades et Blessés. 1894.
- GIDLEY, JAMES WILLIAM — Notice of the Occurrence of a Pleistocene Camel North of the Arctic Circle. *Smithsonian Miscellaneous Collections*. Washington: Smithsonian Institution, 1913. Vol. 60, No. 26. (Publication No. 2173.)
- GILBERT, RODNEY — Concerning Camels. *Asia*. New York: January, 1918. Vol. 18, pp. 59-64.
- GINSBURGH, ROBERT — When Jefferson Davis Ordered Camels for Soldiers. *Literary Digest*. January 23, 1928. pp. 53-58.
- "The Camels are Coming!" *American Legion Monthly*. January, 1928. p. 12.
- GRAVES, J. A. — My Seventy Years in California, 1857-1927. Los Angeles: Times-Mirror Press, 1927. pp. 55-62.
- [Same as above, "written for John S. McGroarty's *West Coast Magazine* some years ago."]
- GREAT BRITAIN — WAR OFFICE — Camel Corps Training, Provisional. 1913.
- Regulations for the Equipment of the Army. Part 2, Section XV: Camel Corps School, Egypt. (Regular Army.)

- GRÉVERLE, CAPITAINE DE LA — Le Régiment des Dromadaires. *Revue d'Histoire de l'État-Major de l'Armée*. 1903.
- GROSSMAN, A. G. — Letter in *Adventure*, March 10, 1926.
- GUINN, J. M. — Camel Caravans of the American Desert. *Annual Publication of the Historical Society of Southern California and Pioneer Register*. Los Angeles: 1901. Part II, Vol. V, pp. 146-51.
- La Estrella. *Ibid.* Vol. V, p. 74.
- HALL, SHARLOT M. — Camels in Arizona. *Land of Sunshine*. February, 1898. Vol. 8, p. 122.
- The Camels in the Southwest. *Out West*. April, 1907. Vol. 26, pp. 302-14.
- HAMMER-PURGSTALL, FREIHERR JOSEPH VON — Über des Kamels. *Sitzungsberichte der Kaiserlichen Akademie der Wissenschaften* (Phil.-Hist. Classe). Vienna: 1853-1854. Vols. 11 and 12.
- Das Kamel. *Denkschriften der Kaiserlichen Akademie der Wissenschaften* (Phil.-Hist. Classe). Vienna: 1855-1856. Vols. 6 and 7.
- HAY, OLIVER PERRY — Camels of the Fossil Genus *Camelops*. *U. S. National Museum Proceedings*. Washington: 1914. Vol. 46, pp. 267-77.
- HEBARD, GRACE RAYMOND, AND BRININSTOOL, E. A. — The Bozeman Trail. Cleveland: The Arthur H. Clark Co., 1922. (2 vols.) Vol. I, p. 63.
- HERBERT, SIDNEY — The Camel: Its Introduction . . . in the United States by Major H. C. Wayne [Etc.]. *Southern Cultivator and Dixie Farmer*. Atlanta: May, 188—[?]. 12 pages.
- HOWAY, F. W., AND SCHOLEFIELD, E. O. — British Columbia from the Earliest Times to the Present. Vancouver: S. J. Clarke, 1914 (4 vols.), Vol. II, pp. 95, 98.
- HUC, E. R. M. — Recollections of a Journey through Tartary, Thibet and China, 1844-1846.
- Hutchings' Illustrated California Magazine* — The Bactrian Camel. San Francisco: November, 1860. Vol. V, No. 5, pp. 193-96.
- Independent Magazine* — Camels in Texas. Sept. 4, 1913. Vol. 75, p. 579.
- KING, W. G. — Charter of the American Camel Company, Granted by the State of New York; with the Natural History of the Camel. New York: published by the Company, 1854. 15 pages.
- Commercial Value of the Camel. *Hunt's Merchant's Magazine and Commercial Review*. June, 1854. Vol. 30, pp. 659-60.
- LEESE, A. S. — "Tips" on Camels for Veterinary Surgeons on Active Service. London: Baillière, Tindall & Cox, 1918. 50 pages. (Reprinted from the *Veterinary Journal*.)
- Treatise on the One-Humped Camel. Stamford: Haques & Son, 1928.
- LEONARD, ARTHUR GLYN — The Camel: Its Uses and Management. London: Longmans, Green & Co., 1894. 335 pages.
- LESBRE, F. X. — Recherches Anatomique sur les Camélidés [Etc.]. Lyon: H. Georg, 1903. 195 pages. (Museum d'Histoire Naturelle de Lyon, *Archives*, Vol. 8, No. 1.)
- Leslie's Illustrated Weekly* — March 7, 1857.
- LESLEY, LEWIS B. — Uncle Sam's Camels. The Journal of May Humphreys Stacey, supplemented by the Report of Edward Fitzgerald Beale (1857-1858). Cambridge: Harvard University Press, 1929. 298 pages.

- LEWIS, WILLIAM S. — The Camel Pack Trains in the Mining Camps of the West. *Washington Historical Quarterly*. Seattle: October, 1928. Vol. XIX, No. 4, pp. 271-84.
- Camel Pack-Trains in Northwest Mining Camps. *Portland Oregonian*. October 27, 1928. Sunday Magazine Section.
- LISTINA, ADRIAN — Uncle Sam's Camels. *Taylor-Trotwood Magazine*. June, 1907. Vol. 5, pp. 301-6.
- LORD, ELIOT — Comstock Mining and Mines. *U. S. Geological Survey Monograph IV*. 1883. pp. 201-2.
- LUBBOCK, FRANCIS RICHARD — Six Decades in Texas. [Memoirs, edited by C. W. Raines.] Austin: 1900. pp. 238-42.
- LUMMIS, CHARLES F. — Pioneer Transportation in America. *McClure's Magazine*. November, 1905. Vol. 26, pp. 90-92.
- MACFIE, MATHEW — Vancouver Island and British Columbia. London: 1865. p. 226.
- MAJORS, ALEXANDER — Seventy Years on the Frontier: Alexander Majors' Memoirs of a Lifetime on the Border; with a preface by "Buffalo Bill" (General W. F. Cody), ed. by Colonel Prentiss Ingraham. Chicago and New York: 1893.
- MARSH, GEORGE P. — The Camel. (Lectures delivered before the Smithsonian Institution — No. I.) *Ninth Annual Report of the Board of Regents of the Smithsonian Institution* [for 1854]. Washington: 1855. pp. 98-122.
- The Camel: His Organization, Habits, and Uses, Considered with Reference to his Introduction into the United States. Boston: Gould and Lincoln, 1856. 224 pages.
- MERRIAM, JOHN CAMPBELL — The Skull and Dentition of a Camel from the Pleistocene of Rancho La Brea. *University of California Publications. Bulletin of the Department of Geology*. Berkeley: 1913. Vol. 7, No. 14.
- MICHAL, E. — Le Chameau du Sahara Soudanais. *Bulletin de la Société de Géographie d'Alger et de l'Afrique du Nord*. Alger: [1905?] Année 10. pp. 368-85.
- MOFFATT, W. D. — *The Mentor*. July, 1924.
- MUELLER, FRANZ, UND C. WEDL — Beiträge zur des Zweibuckeligen Kamels (*Camelus bactrianus*). *Denkschriften der Kaiserlichen Akademie der Wissenschaften (Math.-Natur. Classe)*. Vienna: 1852. Vol. 31.
- NEVADA STATE — *Assembly Journal*, 1875, p. 61.
- Statutes, 1875, Chap. XII.
- NEWMARK, HARRIS — Sixty Years in Southern California, 1853-1913. (Second Edition.) New York: Knickerbocker Press, 1926. pp. 222, 223, 234, 281, 297, 316, 317, 418, 543. (First Edition, 1916; Third Edition, 1930.)
- NEW YORK STATE — *Assembly Journal*, 1854, p. 1011.
- Senate Journal*, 1854, pp. 646, 712, 820.
- Session Laws*, 1854, Chap. 229.
- O'HARGAN, RODERICK — Wild Camels in Arizona. *Sunset Magazine*. January, 1929. Vol. 62, pp. 30-32, 59.
- O'TOOLE, LAWRENCE — Arizona's Wild Camels. *Arizona Magazine*. July, 1893. p. 29.

- PALMER, J. W. — The Ship of the Desert. *Harper's New Monthly Magazine*. October, 1857. Vol. XV, No. 89, pp. 577-93.
- PAXON, FREDERICK L. — History of the American Frontier, 1763-93. Boston and New York: Houghton Mifflin Co., 1924. pp. 459-60.
- PERRINE, FRED S. — Uncle Sam's Camel Corps. *New Mexico Historical Review*. October, 1926. Vol. I, No. 4, pp. 434-44.
—Letter in *Portland Oregonian*. February 14, 1927.
- PFEIFFER, FRANCES H. — Uncle Sam's First and Last Camel Caravan over Western Deserts. *Christian Science Monitor*. March 23, 1928.
- PLESSIO, E. — Il Cammello. Milan: 1902.
- Popular Mechanics* — May, 1922.
- RAY, ALBERT — Notes upon the Camel [Collected from General Carbuccio's report and General Dumas' letter]. *Senate Executive Document No. 62*, 34th Cong., 3rd Sess., 1857. pp. 83-91.
- RAINES, C. W. — [See LUBBOCK.]
- ROMER, ALFRED S. — A "Fossil" Camel Recently Living in Utah. *Science*. July 6, 1928, pp. 19-20.
- ROUSSEAU, B. H. — Camel Trains in Southern California. *Los Angeles Times*. August 24, 1925. Part 3.
- ROWLAND, DUNBAR — Jefferson Davis, Constitutionalist: His Letters, Papers and Speeches. Jackson, Miss.: 1923. (10 vols.) References in Vols. 2 and 3.
- SANDERS, HELEN F. — History of Montana. Chicago: 1913. (3 vols.) Vol. I, p. 281.
- SHINN, CHARLES HOWARD — The Story of the Mine. New York: D. Appleton & Co., 1896. p. 121.
- SCHOONOVER, T. J. — The Life and Times of Gen. John A. Sutter. Revised and Enlarged Edition. Sacramento: 1907. p. 258.
- SOKOLOWSKY, ALEXANDER — Über den Import von Kamelen und Dromedaren in unsere Schutzgebiete. *Beiträge zu Kolonialpolitik und Kolonialwirtschaft*. Berlin: 1902. (Jahrgang 3.) pp. 585-88.
- STEPHENS, C. A. — Seeking Uncle Sam's Camels. *The Youth's Companion*. April 3, 10, 17, 24, May 1, 8, 1902.
- STUART, GRANVILLE — Forty Years on the Frontier. Cleveland: The Arthur H. Clark Co., 1925. (2 vols.) Vol. 2, p. 22.
- STEELE, J. H. — Manual of the Diseases of the Camel. Madras: 1890. 206 pages.
- THORPE, T. B. — The Ship of the Desert. *Appleton's Journal*. August 28, 1869. Vol. 2, pp. 34-37.
- Time* — Jeff Davis' Dromedaries. December 8, 1930. Vol. XVI, No. 23, p. 20.
- TINSLEY, HENRY G. — Camels in the Colorado Desert. *Land of Sunshine*. March, 1897. Vol. 6, pp. 148-50.
- UNITED STATES DEPARTMENT OF AGRICULTURE — The Government's Importation of Camels: A Historical Sketch. *Bureau of Animal Industry, Circular No. 53*, 1904.
—Annual Report of the Bureau of Animal Industry for 1903.

UNITED STATES DEPARTMENT OF COMMERCE AND LABOR — Camels in Asia Minor. *Bureau of Manufacturing, Monthly Consular and Trade Reports, No. 341.* 1909. pp. 111-12.

UNITED STATES PATENT OFFICE — *Report for 1853.* p. 61.

UNITED STATES HOUSE OF REPRESENTATIVES — Wagon Road from Fort Defiance to the Colorado River. (Report of the Superintendent, Edward F. Beale.) *35th Congress, 1st Session, House Ex. Doc. No. 124.* May 12, 1858. 87 pages.

UNITED STATES SENATE — Report of the Secretary of War, Communicating, in Compliance with a Resolution of the Senate of February 2, 1857, Information Respecting the Purchase of Camels for the Purposes of Military Transportation. *34th Congress, 3rd Session, Senate Ex. Doc. No. 62.* 1857. 238 pages.

—Letter of W. Re Kyan Bey to Edwin De Leon, United States Consul General in Egypt, on the treatment and use of the Dromedary. *35th Congress, 1st Session, Senate Misc. Doc. No. 271.* June 12, 1858. 35 pages.

UNITED STATES WAR DEPARTMENT — Report of the Secretary of War for 1853. *33rd Congress, 1st Session, Senate Ex. Doc. No. 1; House Ex. Doc. No. 1.* 1853. Part 2, pp. 9, 25.

—Report of the Secretary of War for 1854. *33rd Congress, 2nd Session, Senate Ex. Doc. No. 1; House Ex. Doc. No. 1.* 1854. Part 2, p. 8.

—Report of the Secretary of War for 1855. *34th Congress, 1st Session, Senate Ex. Doc. No. 1; House Ex. Doc. No. 1.* 1855. Part 2, p. 9.

—Report of the Secretary of War for 1856. *34th Congress, 3rd Session, Senate Ex. Doc. No. 5; House Ex. Doc. No. 1.* 1856. pp. 22, 23.

—Report of the Secretary of War for 1857. *35th Congress, 1st Session, Senate Ex. Doc. No. 11; House Ex. Doc. No. 2.* 1857. p. 14.

—Report of the Secretary of War for 1858. *35th Congress, 2nd Session, Senate Ex. Doc. No. 1; House Ex. Doc. No. 2.* 1858. Part 2, pp. 14, 454-91.

—Report of the Secretary of War for 1859. *36th Congress, 1st Session, Senate Ex. Doc. No. 2.* 1859. p. 6.

—Report of the Secretary of War for 1860. *36th Congress, 2nd Session, Senate Ex. Doc. No. 2; House Ex. Doc. No. 2.* 1860. Part 1, pp. 422-47.

—The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. 1880-1901. (70 volumes in 128.) Series 1, Vol. 50, Part 2, pp. 451-53.

VALLON — *Histoire Naturelle du Dromadaire.* 1836.

VISCHER, EDWARD — Vischer's Pictorial of California. San Francisco: 1870. (Text, 132 pages, accompanied by album or box of views.) Plates Nos. 6, 18, 19, 23, 43, 47; pp. 5, 17, 30, 32, 64, 66, 67.

—Vischer's Views of California. The Mammoth Tree Grove, Calaveras County, California, and its Avenues. (Portfolio of lithograph plates.) San Francisco: 1862. Plate IX.

—The Forest Trees of California. *Sequoia Gigantea.* San Francisco: 1864. (Pamphlet.) p. 5.

—Sketches of the Washoe Mining Region. San Francisco: 1862. (Pamphlet.) p. 22.

VITALE, MASSIMO ADOLFO — I Meharisti ed i Mehara (Governo della Cirenaica.) Bengasi: 1927. 143 pages.

- WACHI — Rôle Militaire du Dromadaire en Algerie et en Tunisie. 1898.
- WALTON, ELIJAH — The Camel. 1865.
- WATT, JAMES W. — Experiences of a Packer in Washington Territory Mining Camps during the Sixties. *Washington Historical Quarterly*. Seattle: July, October, 1928. Vol. XIX, Nos. 3 and 4, pp. 206, 285-93.
- WAYNE, HENRY C. — (See "United States Senate — Report [etc.]," *34th Congress 3rd Session, Senate Ex. Doc. No. 62*, 1857.)
- WOLFF ET BLACHERÉ — Les Régiments de Dromadaires. 1884. (Also, 1886.)
- WOODY, F. H. — A Sketch of the Early History of Western Montana. Historical Society of Montana Contributions. Helena: 1896. Vol. 2, p. 104.

Newspapers

- BOSTON: *Christian Science Monitor* — March 23, 1928, November 22, 1930.
- INDIANOLA (TEXAS): *Bulletin* — 1856.
- LONDON: *Once a Week* — 1867. Vol. 16, p. 498.
- LOS ANGELES: *Semi-Weekly Vineyard* — June 14, 1859.
- LOS ANGELES: *Star (La Estrella)* — January 9[?], 1858; July 21, 1858; March 5, 1859; September 17, 1859; October 22, 1859.
- LOS ANGELES: *Times* — April 10, 1904; August 24, 1925; February 12, 1927.
- NEW YORK: *Illustrated News* — June 25, 1853.
- OAKLAND (CALIFORNIA): *Tribune* — February 27, 1927.
- OLYMPIA: *Washington Standard* — August 1, 1863 (p. 3); September 19, 1863 (p. 3).
- PORTLAND: *Oregonian* — December 6, 26, 1857; March 14, 1863; August 5, 6, 1863; November 20, 1865; February 12, 14, 1927; October 7, 1928.
- RENO (NEVADA): *Evening Gazette* — October 11, 1930.
- SACRAMENTO (CALIFORNIA): *Union* — January 27, 1858; March 25, 1858; May 24, 1858; November 13, 1858; March 12, 1859; May 20, 1859; July 28, 1860; September 29, 1860; October 8, 10, 15, 1860; August 6, 1861; May 20, 1862; April 2, 4, 8, 1864.
- SAN ANTONIO (TEXAS): *Daily Herald* — November 10, 1859.
- SAN ANTONIO (TEXAS): *Texan and Ledger* — 1858-1859.
- SAN FRANCISCO: *Alta California* — November 26, 1857; March 24, 1861; July 25, 1861; April 8, 1862; May 13, 1862.
- SAN FRANCISCO: *Chronicle* — May 26, 1895; May 28, 1899; December 27, 1902; September 2, 3, 1927; January 5, 1930.
- SAN FRANCISCO: *Echo du Pacifique* — March 23, 1861.
- SAN FRANCISCO: *Evening Bulletin* — May 21, 1857; September 14, 1857; November 11, 12, 25, 1857; December 14, 1857; January 25, 1858; February 4, 1858; July 26, 27, 1860; August 1, 2, 6, 8, 11, 1860; October 1, 5, 10, 11, 1860; November 1, 1861; April 10, 1862; January 8, 1864.
- SAN FRANCISCO: *Examiner* — February 19, 1893.
- SAN FRANCISCO: *Herald* — October 3, 1852; May 4, 1855; December 13, 1856; November 16, 1861.
- SPOKANE (WASHINGTON): *Daily Chronicle* — August 6, 1928.
- SPOKANE (WASHINGTON): *Spokesman-Review* — March, 1928.
- STOCKTON (CALIFORNIA): *Argus* — December (?), 1856.

VICTORIA (BRITISH COLUMBIA): *British Colonist* — March 1, 1862; April 15, 1862; May 2, 6, 24, 1862.

VIRGINIA CITY (MONTANA): *Montana Post* — June 3, 1865; July 29, 1865.

VIRGINIA CITY (NEVADA): *Territorial Enterprise* — August 3, 1861; October 27, 1861; May 10, 16, 1862; February 28, 1863; September 30, 1864; May 15, 1869; June 28, 29, 1876; July 6, 1876.

WALLA WALLA (WASHINGTON): *Union* — November 26, 1870.

WALLA WALLA (WASHINGTON): *Washington Statesman* — March 12, 1864.

WHITEFISH (MONTANA): *Montana Pilot* — September 26, 1924. (Syndicated article appearing in other Montana papers — Reminiscences of C. W. Cannon.)

[NOTE: During the period within which camels were being introduced and used in California, Nevada and other parts of the West, the newspapers of practically every town and mining camp in that region contained occasional mention of camels. These notices were frequently "clipped" from paper to paper, and no attempt has here been made to list them in detail. — Ed.]

Some Manuscript Material

1. Alter, J. Cecil — Letter to William S. Lewis, Aug. 21, 1928. Re: Camels in Utah.
2. Babb, James E. — Letter to William S. Lewis, Aug. 15, 1928. Re: Camels in Idaho.
3. Bonney, W. P. — Letters to William S. Lewis. Re: Camels at Olympia, and Camels passing through Cowlitz Prairie in 1860.
4. Galbraith, R. L. — Fort Steel, British Columbia. Letters to George H. Hines, Oregon Historical Society. Nov. 20, 1923, statement of Mr. Galbraith. Dec. 3, 1923, statement of Hon. Charles Semlin. Dec. 7, 1923, statement of James H. Anderson and T. D. Leighton. On Camels in British Columbia.
5. Hilger, David, Helena, Mont. — Letter to William S. Lewis, Aug. 17, 1928. Re: Camels in Montana.
6. Laumeister, Frank — Letter from his daughter to F. W. Howay, New Westminster, B. C., on importation of camels into British Columbia in 1862.
7. McDonald, Duncan, Dixon, Montana — Letters to William S. Lewis, Spokane, Washington, July 30, 1928. Re: Camels at Ft. Colville.
8. Phillips, Paul C., Missoula, Montana — Letter to William S. Lewis, Aug. 18, 1928. Re: Camels in Montana.
9. Prochaska, Joe, State Game Warden, Phoenix, Arizona — Feb. 3, 1919. Letter to Dr. Grace Raymond Hebard. Re: Last Camels in Ajo country, Arizona.
10. Regan, Agnes D., Assistant Librarian, State Historical and Miscellaneous Library, Helena, Montana — Letters to Dr. Grace Raymond Hebard, Laramie, Wyoming, Feb. 17 and 27, 1919, containing statement of Judge William J. Pemberton, Librarian. On camels on Walla Walla trail, etc.
11. Spokane Indians — Sam Hill of Willpinit: statement to William S. Lewis; Alex Pierre of Willpinit, *ditto*, regarding camels in the Spokane country.



"ANNIE" AND "ADA" SINGER, STEP-DAUGHTERS OF MAJOR WILLIAM SINGER

From photographs in the possession of Mrs. Anna Brand.

"CALIFORNIA'S BANTAM COCK"

THE JOURNALS OF CHARLES E. DE LONG, 1854-1863

Edited by Carl I. Wheat

THE JOURNAL FOR THE YEAR 1858

(CONTINUED)

JULY 1858

Thu. 1, — Had another hot and dull day, was retained to commence an action against Davis et al's, by John Keller,¹³⁸ and another note also drawn from Z Montgomery's¹³⁹ hands to be placed in mine; against the same parties; can make a good thing out of them if I can make them stick. in the evening went with Mr Ruth¹⁴⁰ and called upon Miss Hatty May at Yuba City and spent a pleasant evening Nin Whiteside called for a few moments. Gen Rowe still absent up above where he has been since Monday.

Fri. 2, — Had a most terrible hot day doing nothing of much importance. Gen Rowe returned from above, spent some time, in hard study in endeavouring to draw up a new complaint in the case of Gile's James & Co vs Clark & the Marysville Mining Co in the evening went out walking with Miss Maggie Earlie, called at Mr's Laird's and Mr's Stockton's thence went to a cream Saloon met the Misse's Reardon's, Mi'ss Singer and Father¹⁴¹ and other's was introduced to Miss Singer and invited to call upon her. liked her look's pretty much determined on Monday eve to call, made an engagement to that effect with Miss Maggie

Sat. 3, — Another very warm day, staid at home somewhat busy, drew up bill of sale of 125 Cattle from Dingman to Collin's; fee \$5.00 credited; made an engagement to go with Bill Philip's and call on Judge Bliss and his sister Jo.¹⁴² he left and did not return in time, I set up in my office, and wrote out complaint and forwarded it above, then went with Amy, Gray and Hick's and played whist until late in the evening. returned home.

Sun. 4, — Pleasant day, rather cooler than usual, went to the Catholic church with Amy; Bill Philip's got whipped by John Brophy, had a devil of a time getting him cupped and fixed up by Dr Link¹⁴³ took him up home, engaged Miss Joey Philip's¹⁴⁴ to attend a Ball on to-morrow at Mike Gray's;¹⁴⁵ went up again in the evening and spent the evening with her; found Ruth & Latham¹⁴⁶ there; came home; hell raised in the street, a large fire broke out during the night which for a while threatened the whole town; went to work upon it and got it subdued at last¹⁴⁷ got to bed again about three

Mon. 5, — Started with Miss Joe Philip's for Mike Gray's about 9 O'clock, had a fine little pic-nic in the grove behind the house, had a speech and reading when I was called upon, and delivered an oration, got out of it quite well for an impromptu; went out riding with Jo after the pic-nic did not get back until nearly sunset, they had already commenced dancing, went

in and joined them and had a most splendid evening; had to sleep in the hay mow, went out and turned in with Judge Bliss, Barrett[,] More & other's about 4 O'clock

Tue. 6, — Came up home feeling rather dull and blue, from want of sleep, had a terrible dusty ride as the wind was behind us and blowing hard; had a first rate time on the road arrived home safe; after brushing the dust off had to get an order from the Court in the case of Quigley et al's and take a deposition of Farley was at it nearly all the afternoon,

Wed. 7, — Spent the day in the office most of the time, filed complaint in the Gile's case and had process issue; Subpoenaed some witnesses in the Hildebrand case. sued Suller's for fee's got out summon's and warrant of arrest for him; in the afternoon was called upon to defend a fellow by the name of Dickenson in the Recorder's Court on a charge of petit larceny got him clear, Rowe received \$13.50 in cash of him and note for \$36.50 more, ran around town some, talked politics some, and had a very fine time generally in the evening called on the Miss Singer's with Ruth, spent a pleasant evening; Gus Lewis stopped all night with me; a great many down from above on their way to Frazer¹⁴⁸ George Reid, B Clough, — Johnson, Laman, Brown, Seabury, H Pratt & other's.

Thu. 8, — Arose late feeling quite unwell had a dull day was up to the Court House called on Nellie Woods consulted with a fellow about suing for some stake money put on a horse-race; Rowe made out a Bill of sale for some goods to Wagner, from Ramsey & Co who were about to be sued by Reinhart & Co got them almost all delivered when the Sheriff attached the balance;¹⁴⁹ I then served a notice on him of claim by Wagner; Spent the evening at Judge Blisse's with Miss Jo. came down town fell in with J B Starr, Mulford and other's who were on a tight run with them had quite a spree talked politics &c; Haskins^{148a} gave me a mortgage to for[e]close in Downieville for him \$1462.30[?] very good job. Gus Lewis stopped with me all night

Fri. 9, — Arose late feeling quite unwell done nothing much during the day, ran around town with Ex Senator, Westmoreland,¹⁵⁰ in the evening took a long walk with him; also called on Miss Jo and staid until 11 O'clock came down town with Mr Barrett the weather very warm. Bill Philip's staid all night with me.

Sat. 10, — Business opened brisk, tried the case of Wagner vs Reinhart & Co before sheriff's jury and win it. was retained by Walker in a case against Craft's Farish & Co who had attached his mule train and cargo as the property of Cown [or Conn] served notice on the Sheriff, trial was set for 3 O'clock but afterward postponed until Monday at ten; Suller's was arrested on my complaint but afterward released on bail to appear Monday; in the evening heard that Miss Julia was up [from Sacramento] went around to Mr's Stockton's and saw her went to a Saloon¹⁵¹ from there to the Haun House and from there to Mr's Laird's and from there home set up late and had a good time came home at half past one.

Sun. 11, — The most intolerable hot day I ever experienced, spent the first part of the day in lolling around my office. called on Miss Julia in the afternoon lolled around there a little while, went out and called on Mr's Anderson with her left her there came down town got in a buggy with Amy and went out to the Marysville Park took supper and trotted around the course, then came home had a great race, run horse's all the way in in the dark called again on Miss Julia took a long walk with her called again on Mr's Laird and from there escorted her home;

Mon. 12, — Attended and plead a case of trial to the right's of property before a Sheriff's Jury was opposed by Mitchell; lost the case; it was Walker vs Craft's, Farish & Co, for a mule train; charged \$50 reced no money my client then went above to obtain some and come down again and commence a suit in replevin for them. in the evening attended the Democratic District Convention watched them until late, ballotted 30 time's and no choice, Reardon reced 14, Bliss 10, and Sherrod [Sherrard] of Sutter 6, on each ballott; when they ajourned;¹⁵² reced \$22.50 of Rowe on the case of Wagner, got ready to go above

Tue. 13, — Got on the Stage and went up to Oregon Hill made arrangements with J McMenomy and J Gattan's to go to Bullard's and Foster's for me, on to-morrow, got W Edgar to run as my Delegate at this place, went around and saw all the boy's found them all very friendly determined to go down to Long Bar to-morrow staid all night at Edgar's.

Wed. 14, — Spent the day on Oregon Hill Jimmy and John went down to the River, I went down to Long Bar in the evening, and posted a notice calling a meeting there to-morrow noon, found that McHardy had one posted calling a meeting there on the 16th, saw Dan Pike[,] Mose Crawford and the rest of the boy's, found them all favourable, returned to Oregon Hill after dark, found Jimmy who reported to me that Foster's Bar looked scaley,. staid all night at Edgar's.

Thu. 15, — Went down to Long Bar at noon. held our meeting. met no opposition elected W Edgar and J Gattan's. went down to Foster's found Johnny Gattan's, there he had carried Bullard's for himself and G. I Mix; went to work got Divvier and West to run as my delegate's, the opposition weakened elected them on ballott by an unanimou's vote; was called on and then made a speech; received hearty applause, came up to the Hill with Johnny and Jenkin's, found that they had elected Edgar and instructed him to go all the time for me; this was pretty satisfactory, I have carried all I came for against everything they could start.¹⁵³ staid at Edgar's

Fri. 16, — Borrowed \$10 of H Goodfellow, came down on the Stage got to the Oregon House, and found that all of Marysville had gone for the Mud Sill's,¹⁵⁴ this was cheering got into town about 3 Oclock found no new business, Rowe had attended to and acquitted Hildebrant, of Grand larceny all my friend's came in to learn the new's and assured me of a unanimou's nomination. in the evening called on Mr's Laird and then went

to the Haun House called on Ms's [Messrs.?] McGowan & Lowrie and had a long talk with them Dan Dean at the Haun House just up from below

Sat. 17, — Spent most of the day in my office went up to the Court of Session's¹⁵⁵ a little while; wrote out a complaint for a foreclosure of Mortgage in the case of Henry Kinsey vs W Henry and Elizabeth his wife; Dist Court Sierra Co; wrote several letter's one to John T Steven's, G I Mix, W Edgar, my Utica Sister, Father, Arthur Miller and one to Elida; Barrett called on me [and] had a good long talk, agreed to go to the Peoria House on Sunday in the evening went out riding with Judge McCarty,¹⁵⁶ went to Yuba City and from their to the Park came in in the evening had a beautiful ride, came up to my office and read four or five decision's weather delightfully cool

Sun. 18, — Spent the day in my office; read some, and made some little preperation's relative to McCourtenay's case to-morrow; in the evening called at Judge Singer's and spent the evening, went out to an ice-cream saloon with Miss Annie found her quite graciou's and pleasant; returned home and done some reading. Si Storer stopped with me

Mon. 19, — Went up to the Court of Session's McCourtenay's case was called Spent the forenoon in empannelling the jury, and getting ready; charge of highway robbery; in the afternoon went on with the trial I examined the witsnesse's; and made a plea of about an hour think I done justice to myself and my cause, Rowe followed and made a good plea, Hatch Dist Atty closed¹⁵⁷ jury retired and were absent about a half an hour, and came in with a verdict of guilty; came down town and spent the evening in running around. Si Storer stopped with me. heard that the Reardon men were a little down on me. first case in the Superior Court's¹⁵⁸

Tue. 20, — Attended the Court of Session's; case of Manuel Groza, tried and Dft acquitted, by Rowe & myself. in the afternoon tried the case of Asa Coomb's; was all the afternoon examining the witsnesse's for the prosecution; charge of burglary; hard case, spent all the evening in looking up authoritie's and preparing for a desperate defense, on to-morrow, settled up my board bill, reced \$5 of Dr Wilson, and \$5 from Jim Dingman; Mr Skelton called and informed me that Miss Julia was down; I called on her at Mr's Laird's we went up to Mr's Stockton's and back, and then bid her good bye, she appeared rather more distant than usual

Wed. 21, — Spent all the forenoon in the examination of witsnesse's ajourned until 2 Oclock, in the afternoon Hatch opened for the State and I followed in a speech, for the defense of about an hour and a half Hatch then closed; the jury retired and brought in a verdict of guilty of Grand Larceny; I gave notice of a motion for a new trial; was very much surprised at the verdict McCourtenay sent up for 2 year's, and Whittimore for one year; and Donovan fined \$400.00; large crowd in attendance and much interested determined on to-morrow to move for Comb's discharge on the ground of no verdict spent the evening in looking up authoritie's

Thu. 22, — Made out my brief and went up and submitted it to the Court. Court then ajourned until afternoon to hear the argument. In the afternoon argued the motion against Hatch and was overruled, then filed affidavit for, new trial which was granted; done nothing much more during the evening. played billiard's until late in the evening with Hank Van-Heusen; and beat him bad.

Fri. 23, — Drew up application for Habeu's Corpu's for Comb's. went up and saw him in jail, ran around town during the day, studied some, but done no business.

Sat. 24, — At home attending to business, some of the delegate's in town, but little business doing, ran around town in the evening with Johnny Gattan's and Johnny O Neil,

Sun. 25, — Spent the day mostly at home. The Town full of delegate's and Candidate's. Ely[,] Spilman[,], Aud and Whiteside's in Town, the first two candidate's, had a long talk with Sam Smith and arranged my affair's with the Reardonite's, done nothing but talk politic's and log-roll in the evening called on Miss Singer, and waited upon her to a saloon after which we took a long walk and had a pleasant time.

Mon. 26, — Spent the day at the Court House watching the Convention, organized and all thing's went on well until evening when they ajourned, until 10 o'clock, having nominated a full set of Delegate's of the Douglass wing and E D Wheeler for Senator, in the evening convened again and suspended all rule's and nominated me by acclamation with only one or two dissenting vote's, I was then called on and made a speech and was vociferously applauded. Slingerland, Fuller, Whealdon, and Stoddard was nominated, I felt prouder than I ever did at any other moment of my life;¹⁵⁹ The Convention then ajourned in confusion owing to some resolution's when the Sutter & Yuba Administ[r]ation men held a sort of a Bolter Convention and nominated another set of Delegate's.¹⁶⁰

Tue. 27, — Done no business much, held some seriou's talk's with the candidate's and made some arrangement's for the future, the Administration party very threatning in their language and demeanor; I met with many congratulation's in the Street from all side's and in truth I felt pretty well. The weather cool and pleasant. wrote a letter to Julia

Wed. 28, — At Home, staid in the office nearly all day attend a little case in the Court of Wm. Singer; and win it; it was in defence of a note of hand, lead infancy and Fraud, done some other little general business, but took in no money; met encouragement's and congratulation's from all side's the weather very pleasant; the Express hoisted our ticket and gave us all a very beautiful notice and me in particular¹⁶¹

Thu. 29, — Arose late, the morning very cool. went over to Yuba City in a carriage copied some of T B Kehler's insolvent paper's, came back and drew up an objection in the name of Hudson & Co; drew up a petition, Affidavit and schedule in insolvency for Feble Bowman, filed the same

in District Court, and gave the notice for publication in the Express. reced \$25.00 on account of the same, \$25.00 still due; in the evening played some billiard's, and bought vest and coat paid \$9.50 for the same; went into the jail and saw Asa Comb's agreed to make a riffle for him in the morning before Judge Barbour.¹⁶²

Fri. 30, — Spent the day at home in my office, had a long consultation with a Dutchman that I think crazy about commencing an action about some mining claim's at Monte Christo.¹⁶³ — Argued my Asa Coomb's case on Habeu's Corpu's before Barbour had quite a lengthy argument; he promised a written opinion to morrow, in the evening called on Miss Singer, found Mr Elwell¹⁶⁴ there spent the evening, went out walking went down to the Library and from there up to an Ice Cream Saloon invited her to attend the Ball at the Fair House¹⁶⁵ with me.

Sat. 31, — Done nothing much during the forenoon, went up to the Chandlerville Quartz diggings¹⁶⁶ with Col Hatch and from there came back to Brigg's and spent an hour or two in the orchard, fruit in such quantitie's that it was absolutely disgusting Apple's Peaches, Nectarine's Pear's, and Melon's; from there came on into town; the fruit tree's especially Pear's, had blossom's on and fruit in every stage almost ripened. Spent the evening at home, slept all night on the lounge.

AUGUST, 1858

Sun. 1, — Read some in the morning, heard that the new's-paper's were some of them giving me thunder. went around to the Printing Office's found some Delectable notice's in the Mercury, Time's, Democrat and Sierra Citizen,¹⁶⁷ in the afternoon went out riding with Amy had the Webber mare, went to the Park, and Zabriskie's and back the same way, had several good tight race's.

Mon. 2, — Passed the day poorly, knocked around lonely any-way, went up to the Court House once or twice, Subpoenaed officer Baker in Comb's case, called on Ridge, in the afternoon, J J Fegan came down to commence his suit he promised to be in, in the morning Atkin's Hinckly here, postponed his case until August 23rd; in the evening Jame's Stebbin's came up to dun me for some money I owed him, he and I had a hell of a time, the darndest I ever had, we woke up some old reminiscence's. parted friendly in the evening came over and read some, run around town in the evening

Tue. 3, — Spent a blue day, sick nearly all day; done no business much; [The following is crossed out:]

in the evening took some medicine's and to cap all set up until 12 O clock with old Haskin's and Ex Senator Burnett¹⁶⁸ eating fruit in a restauraunt

all hand's making away for the State Convention,¹⁶⁹ I wanted to go but was too hard up to stand the press; two set's of delegates went down from here

Wed. 4, — Sick and quite so nearly all day; staid in the office in the evening took a large dose of medicine, and went into a restaurant with Ex

Senator Burness [Burnett] and old man Haskin's^{168a} and eat fruit had a fine talk about legislation

Thu. 5,— Woke up very sick took some more medicine; drew up a Complaint in case of W K Hudson v's Catherine Fegan alias Bradley; forcible entry and unlawful detainer felt a little better toward evening

Fri. 6,— Spent most all day at home wrote a card for publication defining my position on the political subjects of the day; took it to the Express printing office¹⁷⁰ in the evening went to the Fair Pavillion to a Ball¹⁷¹ took Miss Annie Singer had a fine time, large Co, and plenty of room; large enough to dance 160 [illegible word] had a fire in town during the evening; had a most devilish fine time; enjoyed myself highly — Commenced boarding with Mr's Baker;¹⁷²

Sat. 7,— Got up late; got breakfast went to Yuba City on business; came back found that my card had kicked up hell about the political horizon; talked politic's nearly all day; in the evening had a long run with Ridge¹⁷³ and Fuller;¹⁷⁴ did not care a dam any-way.

Sun. 8,— found that some cuss had come out in the New's interrogating me;¹⁷⁵ Judge McCorkle¹⁷⁶ called on me during the day, spent nearly all day with me and the evening, trying to get me to come out flat footed, A[nti] Le-compton, and support their ticket and Platform, was buzzed a good deal in the street, some of the Douglass men, wanting to haul down my name and some of the Administration wanting to put it up; spent the evening with Miss Baker, had a hell of a lively time with her, Johnny O Neil came and called me away he had been having a hell of a time with Sharkey[,] More[?] and other's on my account.

Mon. 9,— Done no business to day; in the afternoon and evening held a meeting of the Democracy Douglass, and concluded to build up a new paper, I subscribed \$50 for that purpose¹⁷⁷ Wheeler and myself got out some poster's and concluded to travel during the week stumping the Co in the evening I called on Miss Singer; had a good long chat with her; came home; and wrote a long letter to Julia; Ballou stopped with me all night. during the day I called upon Mr's Laird and we had a good long talk

Tue. 10,— Arose early in the morning and went out riding with Miss Emma Baker,¹⁷⁸ to the Park, when we came back I dodged her and came in by myself; Crowe & Coomb's broke jail and escaped¹⁷⁹ Hired a horse and started up country with Wheeler;¹⁸⁰ arrived at Long Bar No 1 about dusk went up to Whiteside's and took supper came back to the Bar and held a meeting in the Town Hall; the House was crammed and both of us acquitted ourselve's to our satisfaction; and parted from the crowd feeling all right¹⁸¹ I came up to Park's Bar and stopped all night with Whiteside's; This was the first Ball rolled.

Wed. 11,— Wheeler came up in the morning and we went up to Timbuctoo per appointment took Dinner went up to the Empire Ranch[,], Smartsville and over to Sucker Flat;¹⁸² Saw the boy's. in the evening, had a hard time

to get up a crowd or even a place to speak; succeeded at last; but had no enthusiasm, Wheeler, Barbour[,] Goodwin, Jesse O Goodwin¹⁸³ and myself all spok[e], on different side's but altogether we could not get up any noise quit in big disgust and came on down to Park's Bar;¹⁸⁴ and I stopped all night again with Whiteside's Spent the afternoon with Mr's Jeffrie's, and sweet Hattie May who gave me her likeness to bear to my bachelor's den¹⁸⁵

Thu. 12, — Started pretty early for New York Flat; with Wheeler and Jesse O Goodwin; arrived at Ohio Flat¹⁸⁶ during the afternoon, found our meeting was to be there; so put up with Mr & Mr's Eddy; in the evening quite a large crowd assembled; some from Forbestown[,] and we had some speakin; I got off a funny and an interesting speech; in fact we both acquitted ourselve's well; in the evening set up a little to a Miss Jone's; a sweetheart of Whealdon's, a long Pike Co Dairy Maid made an engagement to go out riding with her in the morning; had lot's of fun during the day

Fri. 13, — Arose early; went out riding with Miss Jone's found her to be a hell of a gal — found that the gal knew how to kiss Came back, rode past the house my Saddle turned and caused some merriment; Left Ohio Flat with much reluctance, came over to Leidener's[?] to dinner; Whealdon[,] Wheeler, Goodwin and myself Goodwin then turned back and we came on; passed through Foster's and left it fearing it was against us; went up to Camp-tonville had a fine meeting, all spoke and all well received;¹⁸⁷ I threw myself. — Ford retained me to attend a case for him; to-morrow went over to Young's Hill and staid all night with Gus Lewis.

Sat. 14, — Arose early wrote out an answer in the case of Evan's vs Ford and went over to Camptonville went into the case, and occupied nearly all day at it; got beat verdict for one cent; saddled up and came down to Clay's and took supper; had a little flirt with my little neat Miss Clay; found her very friendly came on to Foster's had a fine meeting and much enthusiasm very agreeably disappointed Welch tried to get up a Lecompton meeting but failed; the boy's treated us first rate and him with contempt; we left with three roaring cheer's from the crowd; came down to the Oregon House and staid all night.

Sun. 15, — Came down home; very hot day Wheeler like to have given out with the heat; came down with Steven's who is running in Sutter Co for Assembly. Spent the evening in Town; was received very well by my friends found some false storie's out around about me; also found two letter's one from Julia and one from Conway; both very encouraging, also a left handed dig from the Butte Record¹⁸⁸ the evening very warm; called at Peoria House on the way down Saw Cali, got lunch and had a good time; also called on Miss Abbott¹⁸⁹

Mon. 16, — Spent the day in running around town writing letter's &c; called on Nellie Wood's and had a long talk with her, about Mat's having gone up to the Bolter Convention a fire broke out worked until I was nearly dead in the evening called on Miss Annie Singer and from there went to an

Ice Cream Saloon and back home; had a good time called on Mr's Laird late in the evening compared letter's and caught Gen Kibbe in the fact of having written to me for Julia and to her also¹⁹⁰

Tue. 17, — Warm day; made preparation's for going up country; the Lecompton Convention's labor's brought forth Barbour for Senate; and Watkins[,], Aud, Pearl, McQuaid, and B E S Ely for the Assembly.¹⁹¹ borrowed \$75.00 of Mort Fuller paid Miss Baker \$10, and Mr Pierson \$20 for Horse Hires; got my horse and started out with Fuller & Wheeler went to the New York House and staid all night, heard that Spillman¹⁹² was angry at me, for speaking about him on Foster's Bar, expected him down the next morning upon the stage to fight me

Wed. 18, — Arose early Stage came down but no Spillman; Finch the Driver warned me not to go to the Valley; went on up with Wheeler stopped outside of Town and prepared myself went in called at his House and put up, undertook to explain but all of no use then offered to fight, but deferred the thing until the future; Spoke in the evening at Berry's Saloon had a small meeting; but a very good time I spoke lengthy[,], Wheeler briefly; Fuller undertook to speak *from a brief in his hat*. Spillman attended;¹⁹³

Thu. 19, — In the morning went up to Eagleville and from there went up the Road went down on a ditch and saw some men at work came out and took dinner at Bracy's; came down to Eagleville, got acquainted with the boy's and had a good time in the evening spoke, Wheeler first and I followed we both done ourself's justice and had a fine time of it, Fuller said a few word's; played some billiard's and retired¹⁹⁴

Fri. 20, — Parted with Fuller, who left for Foster's Bar; we came down to the Range over the damdest hill in chrisendom, found that our poster's had not arrived so we pushed on up to Young's Hill and made arrangement's to speak there; in the afternoon went to Oak Valley, Rail Road and Galena Hill, all looked well but Rail Road; spoke at Young's; neither of us tried very hard but, we had a fine meeting; staid all night with Gu's Lewis.¹⁹⁵

Sat. 21, — Went to Camptonville and buzzed around a while, and then went down to Hesse's Crossing; Saw Mr Freeman had a long talk with him; he promised us the Precinct, took dinner there came on over to Willow Creek Spoke in the evening at Clay's Ranch, out of door's; had quite a number of ladie's present done very well; after the meeting had a good old fashioned dance, and kept it up until Sunday; had quite a flirtation with Miss Clay got caught out in quite a rain storm on our way down to Hesse's

Sun. 22, — Came over to Foster's and staid until noon, then went up to Long Bar, took dinner and Spoke, in French Peter's Store, then came up to Oregon Hill and staid there some-time, had a good time set all thing's right; came on down to the Abbott House got supper, from there came to Mrs Philip's saw the girl's; left them late but with a good moon and came on at a mad gallop to Town, rode very fast and had a very pleasant ride.

Mon. 23, — Arose early swept out; went to the Post Office and busied

myself running around town until toward's noon; then went to Mr's Laird's and found Julia Spent almost all day with her; in the evening went to the Pavillion at the opening of the Fair;¹⁹⁶ bought a season ticket went in and spent an hour or two, walking about then came out, with Julia, Gen Kibbe and Mr's Laird, walked around town and finally, came home and set up until 1 O clock; Hick's^{196a} jealou's and my little Singer looking dagger's at me at the Pavillion; great many people in Town; Circuse's; Theatre's Minstrel's; Fire Work's &c —¹⁹⁷

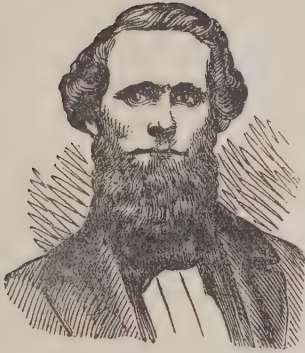
Tue. 24, — Spent the day in seeing everybody[,] talking politic's and doing everything else; invited by Gen Kibbe to attend the Christy's Minstrel's¹⁹⁸ with him. I then invited Julia; reced \$20 from the Gen[eral] on account of Manuel Groza; atten[d]ed the cattle Fair with Mr Kennedy, saw all the Stock; in the evening attended the Minstrel's with Miss Julia, Gen Kibbe and Mr's Laird, had to get up in the orchestra to get a seat. and this broke down before we got through[h], went home with the Ladie's feeling quite sour found Hick's there he staid until about 1 O clock; staid a few moment's after he left but found Julia quite cool about something.

Wed. 25, — Spent all of the day until 2 O clock looking at the Firemen contest for the prize Eurek's of Mary'sville win the first prize 400. Warren's of D[itt]o the 2ed \$200[,] and Our Gal of Sacramento the third \$100. Warren's out threw the whole lot viz 219 feet, 100 feet hose¹⁹⁹ Called once or twice on Julia found her quite distant proposed a trip in the country which was agreed to, in talking it over, fell out with Julia and left her; went up and invited Miss Singer to attend the Pavillion with me went up with her met Julia with Frank Malone, Mr's Laird and Gen Kibbe passed them often felt strange and sad, did not speak met them in the ice cream saloon I dont like the way thing's are working a bit. met a great many stranger's and acquaintance's in the Pavillion; Sam Bell delivered the address²⁰⁰

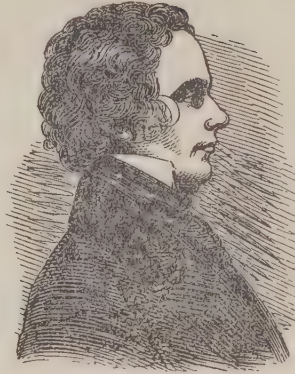
Thu. 26, — Cool and cloudy; attended the Pavillion escorted Miss Josephine & Callie Philip's over there; Met Miss Julia[,] Mr's Laird and the General there; all hand's spread ourselve's returned home; in the evening attended again me[t] Mr Dibble of Grass Valley we called on the Miss Philip's and escorted them to the Pavillion, from there went to a Cream Saloon, and up home, and played card's old maid Whist &c; had a fine time.

Fri. 27, — Went out to the race track with Harry Berry;^{200a} had a great time in the heat and dust seeing the Ladie's Ride. Miss Steven's, Baker, Frederick's[,] Mr's Cross & other's Saw a fight, several race's, bare, back & otherwise.²⁰¹ Mr's Whiteside's out there and other ladie's; in the evening called on Mr's Whiteside's and Nellie & had a long sitting with them[,] then went up to Judge Blisse's and took Miss Josephine to the closing Ball had a grand time met Miss Julia there; she rather got the best of me. escorted Callie and Josephine both home. came home and went to be[d] feeling down spirited

Sat. 28, — Arose late feeling dull and down-spirited; had a long political



JESSE O. GOODWIN



SAMUEL B. BELL

From *Hutchings' California Magazine*, Vol. II, pp. 434 and 483.

talk with Wheeler[,] Goodwin & Slingerland; figuring &c thing's looked doubtful; Gorman & Kerrigan came down, and brought me such friendly new's that it cheered me up. Spent the day around town drew up a deed & Bill of Sale for Mr Gould and a Road Overseer's Bond for Mr Freeman; Jim gave me \$20 on ac[coun]t of electioneering expenses; reced a letter from Elida, set up late answering it; Snowwhite died;²⁰² Sand's was taken to the jail and he retained Gen McDougal, Col Saunder's, Whiteside's and myself to attend to his case; done some work in it when I found out that Rowe was retained by the prosecution so I had to give up the case; hated to do it as it promised for a big case and a large fee²⁰³

Sun. 29, — Spent this day at home, writing letter's; wrote to Murray, and Gus Lewis finished my letter to Elida and wrote one to John Rule; had some great electioneering chat's with all the boy's; the Republican's came out with a ticket and my name on it, this looked strang[e] to me; in the evening had a little meeting on ticket business; from there went around and called on the Miss Singer's and staid the evening with them

Mon. 30, — Knocked around town during the day doing nothing in particular at noon obtained a horse and started out for Sucker Flat Stopped some time at Long Bar[,] Park's Bar; and Timbuctoo but finally made the Flat to find Kerrigan and Gorman all impatience to meet me quite a crowd assembled and I cut loose in a speech about an hour long, and I think I acquitted myself very well. Park's; followed me, in a few remark's; and then we liquored up and the crowd dispersed I went down to Kerrigan's cabin and staid all night with him.²⁰⁴

Tue. 31, — Spent the forenoon at the Flat; went up to the Empire, and from there to Lander's Bar²⁰⁵ and spoke at noon, met Hill of Nevada there electioneering and he made a few remark's;²⁰⁶ came on down with McNutt & Gorman to Rose's Bar²⁰⁷ and spoke there for about an hour; came down to

Timbuctoo[,] took supper; and then spoke about an hour when McQuaid took the stand and made a short speech; when the crowd again called me upon the stand and I made one of the speeche's, I spoke until $\frac{1}{2}$ past twelve, the crowd cheering and treating me to cake, apple's & cobbler's to keep me going on; had a fine time liked them all very much and covered myself with their good will.²⁰⁸ — Came down to Park's with Whiteside's after having a fine drinking bout, left town amidst their cheer's

SEPTEMBER 1858

Wed. 1, — Started pretty late for Marysville; my horse lame; came through Long Bar, found Reardan working like fun; came on down home; arrived in the afternoon[;] found plenty of bumper's; and all commenced fleecing me for a five or a ten; pitched in and done some work; watched the canvassing in the Second Ward; ran ahead of my ticket a few vote's. the Mud Sill's carried Marysville by a small majority.

Thu. 2, — Spent the day nervously, awaiting return's and alternately hoping[,] fearing, and despairing but this eve all seem's fair as far as heard from, for the whole of our County Ticket, the State Ticket is close if not lost; Bliss is elected Dist. Judge and I am reelected

Evening: Dont know about this Some rather scaly new's arrived from the country; called on Mr's Laird had a good long chat with her

Fri. 3, — Thing's grew very dark in appearance new's came in very unfavorable from the country, began to figure told everybody that I was defeated my enemies feel terrificly pleased and I feel sore and surprised, all on the Qui[vi]ve for return's reced a letter from Elida, all well and she is true. Went around to call on the Miss Singer's found Miss Annie from home — came, home. the opposition firing salute's in honor of my defeat.

Sat. 4, — Spent the day rather dull all uncertain about the election; wrote two letter's[,] one to Elida and one to her Sister, Jenny; in the afternoon return's came in from Bear River very unfavorable. felt rather discouraged in the evening called on the Miss Singer's spent the evening with them; talked religion and everything else came away late fell in with Presbury, Gora-ham, [sic] and Judge Reardan, had a long talk with them and done some drinking.

Sun. 5, — Done nothing much; went to the Catholic church, to meet Miss Singer, She was not there returned home, felt out of sort's run around town after return's and made some figuring do not know what the result is.

Mon. 6, — Full of business, had a little case for Cha's Meihl before Judge Singer, damage's to buggy, lost the case attended District Court, Calendar read, judgement renderd by default for us in case of Landis vs Paine & wife Rowe was attending to the Sand's case, and also went to Yuba City to attend to the case of T B Kehler vs his Creditor's our objection dismissed for want of time. no more new's about election

Tue 7, — Attended the District Court moved that Jame's Cosgrove be admitted as a citizen which was done; drew up a decree in the case of Landis

v's Paine and placed that and the Petition of Hudson vs Fagan in the hand's of the Judge; tried a case before Singer of Cook vs King, retained by Englander decision to be rendered on Thursday, action against King as Constable; in the evening ran with Ned Lewis who was on his way down to Tejon.

Wed. 8, — Pourtege'se Jo — alia's Wm Foster awoke me early in the morning to attend the Recorder's Court with him, in a case for an assault upon a Dutch female, I went with him, and on affidavit got it dismissed to be tried in Singer's Court attended there and plead it judgment to be rendered to-morrow; went up to the Court House, found I was elected by 18 votes over H P Watkin's; a tie vote with John Whealdon, and Stoddard the only man on our ticket defeated; Aud elected; drew up a discharge in Co Court in insolvency for A Hinckly and Rowe obtained it; Called on Miss Singer[,] staid only a few moment's, called on Mr's Laird; came home and drew up a decree in insolvency for Fibebe Bowman, to use to-morrow

Thu. 9, — Attended the District Court. got the decree's in the case's of Fibebe Bowman vs His Creditor's and also the one in the case of Landis vs Sumner Paine & Wife signed and an order in the case of Mullen vs Mullen to hear testimony at chamber's upon the 20th day of this month; done nothing much but clean up a little &c during the rest of the day wrote a letter to Jous's & Co of Timbuctoo, also one to Cossit at Downieville and Whealdon at N Y Flat; wrote an answer to One of the Old Guard about Weller for the National [Democrat]; in the evening called at the Western found Miss Hattie Singer, and Mr's Eddy and Mr's Douglass also there spent a pleasant evening and returned home.

Fri. 10, — Attended Court done nothing much felt very unwell, from a strain in my kidney's; wrote a host of letter's and dispatched them reced a letter from Miss Julia to my great surprise, and answered in a farewell letter the last probably that I shall ever receive or send to her; so goe's the world; — very pretty weather.

Sat. 11, — Quite unwell; Rowe went up country to try some suit's wrote a number of letter's to different individual's; done some reading Report's &c —

Vote's were canvassed and no error discovered So I am again Member of the Assembly elect;²⁰⁹ and now for war to the knife with the Administration and the Republican's; Mr. Belden Co Judge elect of Nevada Co²¹⁰ came down; to attend the trial of Plummer [sic], for murder had a long conversation with him; liked him much

Sun. 12, — Done some reading and a little writing to day. fe[l]t sick and a little low-spirited; read Report's pretty steadily; Belden spent most of the day with me; in the evening I called upon Miss Singer; found plenty of company, staid till late and left before the crowd. the weather cool and delightfully pleasant.

Mon. 13, — Went up to Court and assisted the Dft's in empannelling a jury in the case of Henry Plummer. Reced a letter from Stoddard and was retained to go to-morrow to Graham's Store on Bear River to attend a trial; the balance of the day done nothing in particular.

Tue. 14, — Went with Jake Bellrude up to Graham's had a pleasant ride; the case of Jourdan vs Phelp's was called and I appeared for the defence; action was brought for Board & Wash Bill; I denied and plead offset; damage done to wheat & Barley taken by Plaintiff. had a great time, the old man[']s daughter was sworn and he and his wife wanted to be; the jury found for my client 25 ct's damage throwing about \$200 cost's upon the Plaintiff. took dinner and came home by the way of Vineyard's at the Oak Grove;²¹¹ went out of our way around there to get acquainted with his daughter; and she did not have the good sense to invite me in; on the way back smoked a cigar and it made me awful sick, came home in the same way²¹²

Wed. 15, — Done nothing much during the day but attend the trial of Plummer the wife and father of the deceased were sworn one swearing for and one against the prisoner; the evidence closed and case rested in the evening; Hatch opened for the p[r]osecution and whilst he was speaking I left; — The new's came of Ferguson's death²¹³ which cast a gloom over everything; done no business during the day; which was most intensely warm; reced \$40 from John Whealdon and paid Fuller \$25 and horse hire \$17 more. —

Thu. 16, — Attend[ed] almost all day at the District Court room; heard Goodwin in the forenoon and McConnel in the afternoon on the side of the prisoner in the evening called upon Annie and spent the evening; came away and joined somewhat in the jollification's going on in town over the steamer new's; of the telegraph and the rejection of the Lecompton Constitution by Kansas; fired fire-works, barrrell's rocket's &c and had music & marching²¹⁴

Fri. 17, — Business pretty brisk; commenced a suit for Bragg & Co of Sacramento against A J Lattin; settled before night and I reced \$30 Fee's, retained by some Mexican Women, in the Murder case of Seabert; reced a retainer of \$40 in that. retained in a replevin suit of Riley Lane vs Mat Wood. Mr. James of Gile's Jame's & Co²¹⁵ came down and paid Sheriff's Fee's of \$31.00 — wrote out complaint and drew up some other paper's in the evening; reced a half a letter from Polly; but that was too much in its description of Jame's Reid.²¹⁶

Sat. 18, — Attended Court during the forenoon; and in the afternoon and evening drew up complaint affidavit & Bond in a case for John Eich vs Myron Lefever to be commenced in District Court reced \$50 for cost's Fee's to be \$75.00 on note for \$300.00 took some deposition's for B C Steven's of Monte Cristo²¹⁷ reced \$10.00 in cash for so doing; drew up decree in case of Gile's Jame's & Co and obtained judgement. Sent paper's to Sheriff of Mariposa County. in case of Alvarez — paid Miss Baker \$10.00 for Board

Sun. 19, — Went to church in the forenoon; attended Miss Annie Singer home; Miss Dun also accompani[e]d us down and invited me around to see her. done nothing much in the afternoon, Mr's Mullen came down to attend her case to-morrow. went and saw her and Mr's Murphy; saw Gen Kibbe and had a good long talk with him Saw the comet for the first time although seen in town for two days.²¹⁸ Chinaman died with the Cholera, in front of Stage



WILLIAM I. FERGUSON
From the Tombstone in the Sacramento
City Cemetery.
(Photograph, courtesy of California State Library)



THE MARYSVILLE COURT HOUSE
From a lithograph by Kuchel & Dresel, 1856.

Office; reced \$25.00 as retaining fee of a Dutchman to attend a Sheriff's trial of property to-morrow. paid W Ganoble[?] \$5 for fixing my watch. reced a letter from Judge Smith to attend an action of Morgan — vs Morgan in Dist Court, for him on behalf of Dft —

Mon. 20, — Filed complaint of Eich^{218a} vs Lefever, and other paper's in Clerk's office, deposited \$15 with him for cost's; also deposited \$20.00 with the Sheriff in same case; Tried the case of Muller vs Muller for divorce and submitted the same; drew up finding's for the Court, appeared in the case of Morgan vs Morgan on behalf of Judge Smith in Defence afterward attended the taking of deposition's of Chamber's & Stewart with McQuaid, in same case for Plaintiff Morgan discharged McQuaid and desired to retain us; could not do so owing to my having appeared for Smith; in the evening called on Miss Annie per agreement, and spent a very pleasant evening then returned home.

Tue. 21, — Spent the forenoon at Court, the Judge returned my decree with direction's to amend; called on Mr's Mullen received of her \$40 on act of fee's; obtained an order for publication of summon's in case of Eich vs Lefever; reced Mortgage and Note's for \$1749.00 for Kinsey from Henry and wife of Downieville; went into jail[,] saw Plummer, motion in his case for a new-trial argued between Goodwin & Hatch that morning played cards with Jim McC Reardon a little while during the afternoon and until late at night came out winner some \$35.00 on the play went to bed late but could not sleep owing to musquitoe's and cat's; — two comet's plainly visible one at night and one in the morning.

Wed. 22, — Court ajourned until Oct 1st Henry Plummer sentenced to 10 year's in the State's Prison appeal taken; retained in the case of the People vs Pugh, assault with intent to kill done nothing much more during the day; in the evening played with Jim again beat him out of \$28 in money; and \$30 on time forgave him, the latter and quit.

Thu. 23, — Obtained my decree in case of Mullen vs Mullen and forwarded [sic] it up to Miss Benningham. Attended to the mortgage case of Kinsey vs Henry and wife. went to see the witness'es in the case of The People vs Pugh to obtain one to leave the County during the next sitting of the Grand Jury;²¹⁹ reced a kind hearty letter from M Gorman; wrote him an answer, wrote to D C Haswell reced the certificate of my election. in the evening attended the theatre with Miss Annie, to hear the Alleganian's²²⁰ Spent a most pleasant evening, before I went and whilst there; heard music upon a new instrument, playing on a frame of stick's laid upon straw, in the afternoon called upon Mr's Laird had a devil of a good time talking about Kibbe and Julia; met him in the evening with her going to a cream saloon. Appeared before Singer in the case of the People vs White upon a charge of Grand Larceny; obtained a continuance until to-morrow.

Fri. 24, — Forwarded Mortgage to Downieville in case of Kinsey vs Henry and wife. were discharged in case of the People vs Seybert; without any assigned reason called upon Mr's Laird for a few moment's found Kibbe

there; reced a letter from Judge Smith, retaining me in the case of Morgan vs Morgan for Divorce; for Dft. reced a letter from Judge Variel, bought and sent him up some books. nothing new to day; the weather beautiful and a large comet in view in the evening in the west. read some played seven up again with Jim Reardon beat him out of \$30 more on time. Dr Link caned a Chinaman for poisoning his dog; and also tried to shoot him.

Sat. 25, — Passed a dull day not feeling very well; done no business much. reced \$25.00 as half of fee's received in case of Brady vs. Benkhouse [Barkhouse?]; gave account to Judge Dame²²¹ for fee's in case of Kinsey vs Henry & Wilfe [sic] \$125.00 Sent copy of paper and summons to Myron Lefever in case of Eich vs Lefever, to Victoria Vancouver's Island; obtained the decree of discharge in case of Fible Bowman Atkin's Hinckly came down promised to send him up his decree as soon as possible Called upon Mr's Laird in the evening Spent a few minute's only; came out[,] ran around town[,] purchased boot's &c and went to bed. the Comet as long as a rail.

Sun. 26, — Attended the Catholic church waited upon Misse's Annie and Ada Singer home, mad[e] arrangmnts to go to the Ball to-morrow evening. felt very sick one of my old attack's of colic;

Mon. 27, — During the forenoon felt sick. wandered aound [sic] town; all hand's out in regalia[;] firemen, Mason's[,] Odd Fellow's, Hibernians[,] Mexican's, Chinese, Liede[r]krantz[,] Hebrew's, and [blank] the prettie'st of all was the little Indian Queen England and America were also pretty. attended the Pavillion and remained during the exercise's and singing in the evening went with Miss Singer to see the firework's and illumination's wandered all around town; went up on Mr Hudson's piazza and saw the grand display it was indeed pretty, the whole town illuminated but I was sick as death; waited upon her home to prepare for the Ball; went home myself but was taken so ill that I did not return and therefore broke my engagement.²²²

Tue. 28, — Attended the Recorder's Court for Dr Link he was found guilty of assault and battery upon a Chinaman; sentenced to-morrow; filed Demur in case of Miller vs Noyes; went into jail and saw Pugh called on Miss Singer made my apologie's all satisfactory made an engagement for to-morrow evening at the theatre came home feeling unwell, drank freely of brandy; to keep down the pain in the evening attended the theatre alone sat in front of Misse's Dun & Doebler had a good time Mr's Wood played the Actress by daylight.²²³ wrote a letter to Dr Groves, Carrie Whiteside's and Morgan.

Wed. 29, — Done no business during the day felt somewhat unwell; attended the Recorder's Court; Dr Link was fined \$50 & cost's I gave notice of appeal and had leave granted until to-morrow to file my bond; Spent the day foolishly drinking considerably in the evening attended the theatre with Annie; Elwell escorted her sister Ada, Saw Mr's Woods in her fine character of Hester, in the Unequal Match²²⁴ enjoyed the evening very much re-

turned home with the ladie's went to the Gem²²⁵ met Courtain [possibly Constance] and other's and had a rousing good time; went to bed very late. the comet very large and gradually getting larger

Thu. 30, — Dull day no business doing Gorman and friend in town run around some with them drew up a bond for him and he qualified as a Justice of the Peace; Col Vineyard arrived from below, Elida did not come had a long talk with him came to my office and wrote her a thundering, letter for not coming or writing and then destroyed it determined to farther investigate the affair; kindly suspicion the old folk's of opposing the arrangement.²²⁶ called on Mr's Laird Saw Kibbe there went to the theatre in the evening with McNess; a perfect steamboat. weather very warm —

OCTOBER 1858

Fri. 1, — Reced two letter's from Elida; one through the mail and one from Col Whiteside's that her Father brought up everything all right wrote her a good long answer; attended Court done nothing; no business doing Mike Gorman still in town; in the evening went to the theatre with Col Whiteside's, spent a very pleasant evening; and after the theatre played billiard's until late; Col came home and slept with me we had a long political talk he wanted my assistance with Gorman and Pete Carrigan. great change in the weather; cloudy and windy and cool.

Sat. 2, — To day as dull as ever read hard finished the Sixth Report²²⁷ read some of Homer's Illiad; Kelley down here had some spiritual experiment's he told me a little of the past as a clairvoy[an]t and in the evening, gave me a phrenological examination and told my future by *the villiage and the two Rivers that crossed my career through life* wonder if he told me correct; sent my letter to Elida and sent old Hinckley his decree of discharge in insolvency from the County Court reced a letter from Dr Grove's and one from Jones & Co

Sun. 3, — Went to church with Wheeler and Jim McReordan, waited upon Annie and Ada home; returned to my office and spent the day reading Homer's Illiad. read very steadily until evening then called upon Misse's Dunn and Doeblor; and spent a very pleasant evening with them left feeling quite a partiality for Miss Maggie

Mon. 4, — Spent the forenoon in running around to find some witsnes's run all through Mexico;²²⁸ went to the jail two or three time's log-rolled for Pickersgill in the firemen's election for 2nd Assistant but he got defeated;²²⁹ worked for Gormand and Singer for Associate Justice's both of whom were elected;²³⁰ read a little; and in the evening called upon Miss Annie me[t] Hasting's and spent a[s] pleasant evening as I could expect with one too-many. an alarm of fire called me out found some hay burning near Singer's went around and saw the girl's on the stoop; watched them extinguish the fire and then returned home. the comet shining in all it's splendor very large; tail seem's about fifteen feet long; weather clear, cool, and windy

Tue. 5, — Done no business during the day the weather very cool and windy. called a few moment's on Nellie Wood's; went into the jail and saw my pet's; and then returned to my office and spent the remainder of the day in reading the Report's and closed with a book of the Illiad; reced from Judge Dame a Note for \$125.00 endorsed by Henry Kinsey on Wm Henry and Wife in payment of our fee's in case of Kinsey vs Henry and Wife

Wed. 6 — The weather rather warmer to day done nothing but read; done considerable of that; saw Carrie Whiteside's[,] Bean, and Dessie in the evening was astonished at the increasing magnitude and lustre of the Comet; the tail seemed at least forty feet in length; and as I write about ½ past eleven O clock, I have come in from observing a very strange phenomenon in the shape of a dense black cloud forming nearly an arch extending from east to west in the northern horizon exactly resembling smoke from a steam stack; it has been observed nearly an hour but is now gradually dissolving; *something is up*²³¹

Thu. 7. — Got up late; reced two remmittitur's from Supreme Court; drew up answer in case of Vassar, vs Vassar; action for divorce, for Dft; reced \$40 fee's 10 more to be paid; a Dutchess County client in the afternoon walked home with Miss Annie, spent a pleasant hour with them; had a quarrell with Jim Stebbin's about our money affair hunted him for an hour afterward with a cane to cane him; Patrick Guerrin down had a long chat with him; in the evening read like a trooper; on the whole done a good day's work.

Fri. 8, — Had quite a run of business; was retained an in action in Dist Court, Payn vs [blank] by Dft's, reced \$10 as retainer also, in an action for 4 Yoke of Cattle & wagon Sheriff's jury to be tried to-morrow; Lattimar claimant; Ellison Plttf & Noyes Dft; also retained by Noye's to defend an action in Justice Singer's Court of Ellison vs Noyes drew up bill of sale of stock for old man Vassar; settled judgement in the case of Landis vs Sumner Paine and Wife; reced check on Brumagim & Co for \$2493.00 endorsed the same to the Plaintiff fee's \$100.00 to be paid to-morrow; the comet still luminou's; weather cool and pleasant; health not very good finished 7th Vol of Report's; and reced the 9th Vol and July Term in pamphlet from Harvey Lee the Reporter as a present;²³² Ed Lewis in town had a pleasant time with him; just up from Lo's Angelos,²³³ brought love from Elida

Sat. 9, — Done nothing much during the forenoon reced \$100.00 of Landis gave Rowe half bought New Practice Act²³⁴ paid \$6.00 for it. in the afternoon attended Constable's trial of the rights of property; for Lattimer against Ellisson; 8 oxen and wagon, Wheeler for Ellison had a hefty suit and a warping plea in which Wheeler and myself had some sharp shooting much to the amusement of the outsider's, win the case; and reced \$30, for it and \$50 more for Noyes from Kellogg; this make's \$180.00 to-day received; pretty good. mad[e] a bargain with Chapman to do all we could for each other. played billiard's with Hank Van-Heusen in the evening and took an oyster supper with him and D B Scott

Sun. 10, — Arose late feelling dull done no busines's did not go to

church; paid \$16 for pants and \$9.00 for board; in the evening played some billiard's, and had some oyster's with Scott[,] Hank and Tidball; the weather delightful; the comet decidedly paling in it's splendor; giving in at last.

Mon. 11, — Attended Court of Session's in the forenoon it ajourned until afternoon; paid Rowe the \$40 due him from the money received from Kellogg. attended Court during the afternoon. Barbour's case came up and was continued he mad[e] a speech was tight and committed a contempt. My case of the People vs Alvarez then came up the District Atty was unprepared and I took advantage of him and got Alvarez discharged on motion. Hatch awful mad done nothing more during the day in the evening went to see Miss Annie spent the evening there, had a good time; came down town and played card's for the oyster's and liquor's went to bed again late.

Tue 12, — Attended the Court of Session's during the forenoon, nothing done; paid Lee his \$10.00 reced the money for the judgement in the Gile's Jame's & Co case deducted our fee's \$60 therefrom and forwarded the balance of \$278.00 to Grass Valley by Well's Fargo & Co's Express.²³⁵ settled a little case between McCarty & Walsh no fee's. reced a letter from Slingerland and wrote an answer. the day very warm

Wed. 13, — Done nothing but read during the day; felt dull and a little down at the mouth. determined to try and persuade Rowe to go down to Sacramento with me this winter. in the evening played some billiard's and card's at Fred's. the day pleasant a perfect Indian Summer

Thu. 14, — Done no business read pretty steadily. and made some good resolution's for the future *Rowe dressed up.* — in the evening commenced my study of Spanish language under Professor Lucero learned the alphabet the first lesson — the day very windy and quite cool. paid \$5 first installment for tuition and bought book's

Fri. 15, — Arose in good season the wind just blowing a perfect gale and the dust rolling in most magnificent volume's like a fog as far as the eye could see. had just a sprinkle of the lightest kind about noon, the weather rather too cool for comfort. Cameron came in and retained me to draw up some paper's for arrest in case in District Court of Cameron vs Kesser drew them up, reced several letter's one from Lide; in the evening after reading hard started to write an answer when Kellogg and Mr Forsythe came in for me to go to Station House and draw up a bond to release S E Noye's from custody who had been arrested and brought up from Sacramento, on a criminal charge for Fraud preferred by one Munch

Sat. 16, — Attend[ed] Singer's Court during the entire day and in the evening attending the examination of S E Noye's. Montgomery appeared for the prosecution. held to answer at Court of Session's in bond's of five Hundred Dollar's. gave them ran around town awhile and then came up to the office when he was again arrested in civil case of James P Miller vs S E Noye's pending in the District Court and had to give further bond's in the sum of Two Thousand gave them and just got through 12 O clock. plenty of

work for me to do to-morrow. Rowe left for Supreme Court. — Weather cold had fire in the office during the day for the first time.

Sun. 17, — Spent the day in preparing for the case's of Noyes vs Miller and the criminal action on Habeu's Corpus, also in Cameron's case studied about Fraud's until everything looked fraudulent had a walk and a talk with Bryant. in the evening called on Bliss and had a long chat with him. came home finished reading about Fraud's and the 8th Vol of Report's,²³⁶ and made out my note's for my fight in fraud. had a fire nearly all day the weather being so cool

Mon. 18, — Worked like a trooper during the morning argued the motion for dismissal before Bliss at 3 O'clock. opposed by Swezey²³⁷ and my motion overruled had a long consultation during the day; finally determined to go at the suit of Munch vs Noye's in Singer's Court and beat that if possible. Noye's went out after John Adriance and I commenced preparing for the suit In the evening called on Miss Annie for once I found her without visitors had a good long sitting and a first rate time; remained there until 12 O'clock. the evening very cold.

Tue. 19, — Attended the Court of Singer in the case of Munch vs Noye's and got beat like a knife. Swore *John Adriance*. determined to appeal. prepared the paper's. Called on Bliss and made arrangment's for renewing our motion for dismissal in the case of Miller vs Noye's. drew up some; affidavit's and set up quite late. during the day got on quite a little spree with some Timbuctoo boy's, Gleason and Dunbar. had a good time; in the evening bought Annie Laurie for Annie and a little mouse for Ada and sent them around together with an invitation to attend the theatre Thursday night, which was accepted. the weather very cool

Wed. 20, — Spent the day in Noye's, business drew up the affidavit's of Sherman[, Swinnery[?], Casad,^{237a} Kellogg and Noye's. filed bond and appealed his case of Munch vs Noye's to the County Court and then in the evening; told him his bill was \$250.00 which quite surprised him at first, but he afterward came down and acknowledged that all was right and gave me his note's[, 100 payable on demand and paid \$20 on it also, one for \$150 to be paid in 30 day's[, Kellogg to indorse them to-morrow took my second Spanish lesson and had a long talk again with Judge Dame about Sonora, determined to go to Guyamas [sic] together and link our future's in one.²³⁸ in the evening raining a little to my surprise.

Thu. 21, — Raining all night and as hard as it can pour to day all day; done nothing much during the day; to[ok] a deposition for Benj Steven's earned \$10.00 by it gave some other fellow's some advice drew up some affidavit's and order of Court got it signed and attempted to get service upon Mesick & Swezey but could not, engaged a carriage and took Miss Annie to the Concert for a long time no other ladie's came and the House was crowded but at last more came and the thing went on the swing a humbug but the music was very good. the drawing very fairly conducted, a committee chosen from

the crowd and a boy blindfolded. I drew no prize nor Annie neither.²³⁹ returned home with her and set up pretty late had some gingerbread and a good long chat

Fri. 22, — It had stopped raining but was cool and a little cloudy; the streets all mud Served Paper's on Mesick & Swezey and took the affidavit of Filkin's and Riley Lane^{239a} and in the afternoon argued the motion against Mesick and got beaten again; telegraphed to Noye's to come up to file some more paper's, and try again. missed my Spanish lesson's by being off playing billiard's, but came in time enough to have some singing and dancing in the Professor's room.

Sat. 23, — The day cloudy and cool, drew up my affidav't motion order & c to get Noye's dismissed also drew up, demurr[er] to file in the case of Miller vs Noye's. reced a telegraphic dispatch from Noye's saying he would be up to-morrow. Bliss spent the most of the afternoon with me; commenced reading the 9th Report

10 Oclock and the rain is pouring down in torrents just finished reading some of Homer's Illiad; Noble Hector's dead and savage Argive's sport on Illium's coast, whilst Trojans mourn within. oh now for such an Andromache²⁴⁰

Sun. 24, — Spent all day in my office, writing and reading; the weather cold and clear, streets muddy &c. wrote a letter to Jos. C. McKibben;²⁴¹ settled my board finished, Homer's Illiad &c in the evening called with Dr Warfield^{241a} at Bob. O Hanlan's and Mrs Laird's but found no one at home

Mon. 25, — Waited in my office nearly all day expecting Noye's. he did not come; Kellogg came and signed Noye's note's as security this made me all right. read pretty busy during the day in the evening went with Warfield and Called at Dr Pierson's and spent a very pleasant evening did not get to bed until quite late. Commenced boarding at the United State's.²⁴² Carried Annie two piece's of music, Thou hast learned to love another & Mary of the Wild Moor,²⁴³ and spent a pleasant hour with her

Tue. 26, — Done nothing much during the day Noye's returned and I filed my affidavit's and motion for a rehearing in his case, to be heard to-morrow. Clough, Seabury and Pratt just arrived from Fraser's River;²⁴⁴ Wheeler requested me to take charge of George McCarty's case to-morrow in the County Court, attended my Spanish School. the day quite cool and clear until about night.

Wed. 27, — County Court extra session, appeared for George McHardy, obtained a continuance until two, then argued Noyes case and got beaten again. drew up affidavit then for Noye's and he left prepared myself then for the argument this afternoon, Lindl[e]y[,] Magruder and Montgomery²⁴⁵ appeared against me; Montgomery took the ground that the writ was one of quo warranto and as such that the County Court had no jurisdiction. The Court continued the case until Monday and to[ok] the same under advisement ran around in the evening with Dr Warfield, called on Mr's Laird and Lucy Dun. then went to Gertrude's and had a good time.

Thu. 28, — Spent the day doing nothing much, arose late, read a little reced from Summer's a statement of his affair's with Warfield and Mill's for settlement in the evening I left in order to give Warfield the use of my office with the bath house woman; I called on Annie, took some apple's and after went out and obtained some Larger remaind until about 11 O clock and had a good time the weather cloudy & cool

Fri. 29, — Reced account's and letter from H B Summer's, Busied myself in looking up authoritie's in that case and in the case of McHardy vs Whitcomb, quo-warranto and Mandamu's until you cant rest the day rather cool but quite pleasant; in the evening went with Dr Warfield and called upon Pierson's; staid until 8 O clock, and then left and called on Misse's Annie and Ada and spent the balance of the evening very pleasantly

Sat. 30, — Dr [Warfield] left for home, the day quite warm done no business much had some fellow's in for advice and some visitor's; drew up and submitted my brief in the case of McHardy vs Whitcomb all the lawyer's up from Court²⁴⁶ read some

Sun. 31, — Arose in good season, went to the Catholic Church, attended the Misses Singer's home, and remained until nearly night Miss Ada went out with Mr Knight and the Judge was absent to Chandlerville; and I and Miss Annie whiled away a pleasant afternoon; came home; and spent the evening out around town. the day cool but pleasant. Rowe at home

NOVEMBER 1858

Mon. 1, — Done some business to day in preparing for Court; Pat Lynch down on some business. Attended County Court with Wheeler in the case of McHardy vs Whitcomb when the case was dismissed, came down and met Miss Annie in the Street and attended her home. in the evening, attended my Spanish School; made good progress, then went out and blazed around town awhile; the weather cloudy and pleasant

Tue. 2, — Went over to Yuba City with Hacket to commence a suit against Monger et al in Justice's Court. could not find him and then came back. Drew up an application for J H Dickey for a Land Warrant; and entered satisfaction of judgement and examined a deed for a gentleman by the name of Read. read some but not much, feel a little blue but not much, wrote to Elida and received a letter from her, ran to a false alarm of fire with the Warren's²⁴⁷ and at ten or a little after am about tumbling into bed; the day has been fine and calm, and the evening is pleasant enough without a fire in the office

Wed. 3, — Spent the day at home, was taken sick at dinner, got a little tight for relief. Hay's came down from San Juan, ran around with him went to the Park took supper together and ran around town in the evening. his dog eat up my hat and he presented me with a new one, also presented me with a copy of Goldsmith's poem's. the day fine and pleasant retired feeling very sick. went out to the Butte's in Butte Township and commenced a suit for George H Hackett vs Monger et al's. on a Note by attachment, before Justice J C Tindal²⁴⁸

Thu. 4, — Considerable business doing to day Commenced a suit for John C Wahl vs W C Hesser in Dist Court for \$636.60 on a Note. Settled the suit of Hackett vs Monger charged \$25.00 for it. called on Mary Lattimar to see about attending to a little suit for her on Monday. forwarded Dickey's application for a land warrant on to Washington. Sent a letter to Aunt Helen also one to Elida. Roger & John Collin's down here

Fri. 5, — Was retained in the case of the People vs Harris, Robbery examination in Recorder's Court²⁴⁹ tomorrow; went into all of the hell's in town seeing wnesse's had a raft of them up in my office all day done no other business much — in the evening went to the Liede[r]krantz Society's annual Festival with Miss Annie had a very fine time went home late found Miss Ada still up went in and had a good time returned home laid down on the Lounge and slept until morning

Sat. 6, — Attended the Recorder's Court at Harrises examination, McCarty was all one side, no show and after our proving a clear defence we were committed in default of \$8000.00 bail; felt angry as thunder determined to sue out Habeu's Corpu's. in the evening went up to see Mary Lattimar was retained by her, got out some subpoenas &c but the suit was afterward's settled; spent the evening around town. the day beautiful and pleasant; reced a letter from Mr's C E De Long and one from Slingerland.

Sun. 7, — Arose rather late; done no business, had some of the gambler's, J Flattery & other's up here to see me; in the afternoon got a buggy and took Miss Annie out riding went out to the Park & up to Cushing's then tried to strike Zabriskie's got lost and after rambling all over the prairie come out all right rode slowly home, taking several bye roads so as to consume time, and get home exactly at four O'Clock. had a very pleasant time with her; in the evening called on Mr's Laird with Amy, and then came home and read and wrote some; finished my letter to Sister. — the day beautiful

Mon. 8, — Busied myself in arranging for my Habeu's Corpu's had to make out new paper's as Bliss was out of town & file them with Barbour; set for to-morrow at 10 A M, went to the Station House and was retained by a Spaniard; to attend an examination of his to-morrow charged with an Assault with intent to kill; reced \$15.00 more on ac[coun]t of fee's for Harris; was retained by Hanna to attend to his case, charged with gambling; retained by John Flattery in a suit against J L Morrisson for damage's in the sum of \$5000.00 for shooting him with a Rocket at the cable celebration.²⁵⁰ — Had a devil of a time clearing up a story about advising the arrest of McDaniel's and other's for gambling; attended my Spanish school; the day beautiful Heard that Elida was in San Francisco on her way up; Nelly [Vineyard Woods] in the family way

Tue. 9, — Attended the Recorder's court and appeared for a Mexican charged with mayhem; had his case continued until to-morrow; then appeared for Harris on Habeu's Corpu's before Barbour, who simply reduced the bail by \$5000.00 remarking *that he did not credit my wnesse's*; and that he had

heard *in the Street*; that there was a great conflict of evidence. Was retained by A W Turner and commenced a suit in the District Court against Wm B Nash on a Note; I drew up and filed the paper's; Rowe was at Yuba City during the day attending to the case of Dinsmore charged with Grand Larceny. he win his case in the evening, copied and prepared the paper's in a case of John Flattery vs J L Morrison for damage's sustained by being shot by Dft with a Sky Rocket. the day beautiful

Wed. 10, — Another beautiful day; appeared for my Mexican; he was committed. went up to see Harris thinking of making another attempt at Habaeu's Corpu's but did not owing to the absence of a material witness. had several false alarm's of fire and several run's. filed the complaint in the case of Flattery vs Morrison; had Chief Jim Beckwourth in the office and listened to a long set of storie's of his.²⁵¹ win two or three tickets in the grand concert. attended my Spanish school in the evening. Roger & John Collin's down here felt lame and sore from rolling ten pin's last night.

Thu. 11, — The day somewhat cloudy and cooler than usual; in the evening called on Miss Annie imagined that I was not as warmly received as usual left early in consequence felt a little unwell; read some and done some little business; in the evening Roger & John Collin's were here

Fri. 12, — Done no business much to day; bought a Ledger and drew off all of our account's found out that I was doing much better than I thought; had averaged over \$200.00 per month since we commenced; had some bad debt's but over \$1100 in good one's; hurrah I am not discouraged;²⁵² Barrett called upon me in the evening and afterward I attended my Spanish school. . . .

Sat. 13, — Done no business much during the day; a heavy fog in the morning but the day ended beautiful; wrote a letter to Clarke²⁵³ at Forest City[;]²⁵⁴ enclosed note on Henry & Wife for \$125.00 for collection; also wrote to Mr's Morgan, drew up bail bond for Harris, but effected nothing; wrote to Wm Brady about his suit. called at Judge Bliss'es and saw Miss Josephine, she was dressed in mourning for her Sister and seemed very sad; in the evening walked home with the Misse's Singer's who had been out shopping; don some reading.

Sun 14, — Arose early feeling unwell, took a walk with Flattery stopped at the Court House; until the Church was out and then walked home with the Miss Singer's; staid a few moment's came home; and spent the balance of the day and evening in running around town with McGuire, took supper at Miss Baker's and commenced boarding there again²⁵⁵ also called there in the evening the day very fine but the morning was foggy again.

Mon. 15, — Took the Stage for Auburn,²⁵⁶ to attend the case of Brady vs Henn[?] in the County Court of Placer Co the morning cold and Foggy; arrived in Auburn in the afternoon; made a good many acquaintaince's; in the afternoon, in the evening wen[t] with Hawkin's²⁵⁷ up to the Court House and listened to the Auburn Brass Band then came down to Davidson's and was entertained by the Cotillion Band; had a little free & easy after that and upon

relating my story found out that it was Hawkin's *who six year's previously had chased me out of town with a warrant.*^{257a} put up at the American.²⁵⁸

Tue. 16, — In the forenoon went to Court and had the case continued until to-morrow; then spent the day around town; was well received by the Auburn Bar who extended all curtesie's possible; in the evening went to the Chinese Theatre with Hawkin's and saw them play. retired very sick. met an interesting lady in the parlor, exchanged some word's with her;

Wed. 17, — Our case came on for trial. Tuttle²⁵⁹ appeared for the Defence had a long and well fought fight, jury trial continuing on until midnight, when I obtained a verdict. found the Judge; Mr Hale²⁶⁰ a very courteous's gentleman and jurist, Mr Tuttle Contra. — Met Scoby and other's of my acquaintance's and had a very good time during the day. the night very cold

Thu. 18, — Took the Stage for Marysville; had a long tedious's chilling dusty ride facing a heavy cold wind all of the way. arrived safe in the afternoon, found that no particular business had been done by Rowe, reced letter's from Murray in Michigan, Judge Smith and Clarke; R Jenkin's came in and consulted about some business. in the evening went up and remained until ten O clock with the Miss Singer's — then came home after spending a few minutes at Fred's, where I met Jo Lyon's just out from the State's; the sky hazy this evening with an encircled moon betokening a storm Sand's acquitted

Fri. 19, — Attended Court; Wallace's case for murder called; and occupied the day got out a lot of subpoenae's in the Noye's case; filed an affidavit in the case of Eich vs Lefever; and wrote some letter's for Brady who was down here to Mitchel in Auburn and Judge Smith reced a letter from Caldwell,²⁶¹ in Nevada and wrote him an answer on our future course in the Assembly; wrote to J P Brown and Clark in Forest City; talked politics with Roddy, and John Collin's who spent the evening with me in my office. — the day cloudy and cold with heavy wind; in the evening it rained a little and blowing now hard; talked over some of my girl affair's with John and read him my letter and answer to Julia

Sat. 20, — Spent most of the day in Court listening to the trial of William Wallace for the Murder of Jame's Fox. argument's by Well's of Butte and Hatch for the People and Water's of Sacramento and Tidball for the defence; did not think that any of them tore the ground up, and wished much that I could have a chance in for the defense. during the day called and spent an hour with Miss Annie. in the evening went to the Theatre with McGuire, and saw the Robinson Family liked the play's very much, played Charles the IIed and Nan the good for nothing.²⁶² the day at first cloudy but afterward pleasant

Sun. 21, — Spent the forenoon in my office; drew a draft of a Resolution relative to the purchase of Sonora;²⁶³ and left it with Judge Dame for revision. in the afternoon, called on the Miss Singer's and spent a gay afternoon; all alone, played a little too rough with Ada and had a great time making it up; wrote a letter in fun which Annie kept. — came home[,] finished the last

pamphlet of Report's and then commenced reading Chief Justice Marshall's Decision's, and feel a profound sense of admiration for that great and good man.²⁶⁴ the day rather dull cloudy and cool.

Mon. 22, — Staid at home; was up to the Court House some-time watching the empannelling of a jury in the case of Seybert; Kellogg paid the costs in the case of Miller vs Noye's. arranged for the settlement of the case of Turner vs Nash; heard that Noye's had sold out Kellogg's train and put out; had a great Sonora talk with Dame and other's and we all got worked up to quite a fever heat;²⁶⁵ in the evening went around a little with Amy, played some billard's with Hick's &c —

Tue. 23, — Spent almost all day in Court; the case of Seybert occupied all day, and the evidence closed and case rested at night. read a good deal, and done a little business; was retained by a Spainaird called Manuel or New Mexico to appear for him to-morrow in the Recorder's Court; also retained to commence a Suit for Divorce by a man by the name of John Schuoerer[?], on the plea of Adultery.^{265a}—Called on Mr's Laird during the day and spent a pleasant time with her and Maggie; Barrett spent some time in my office in the evening; the forenoon foggy the afternoon cloudy but pleasant

Wed. 24, — Read some, went to Recorder's Court and appeared for New Mexico, charged with Burglary, case continued. went up to the District Court heard Montgomery howl a little in the Seybert case; then went down to Barrett's Ranch with him and spent the day; ha[d] a good time seeing chicken fight's catching turkey's &c; came home in the evening; jury disagreed and were discharged in Seybert's case; spent the evening in reading; read a good deal; the day fine and pleasant. the case of Turner vs Nash settled reced fee's \$40.00

Thu. 25, — Read very hard to day; finished my 1st Vol of Brockenbrough's, Decision's of John Marshall; the day quite cool in the evening went up with Barrett to Judge Blisse's and called on them spent a very pleasant evening with Miss Josephine. done no business during the day

Thanksgiving day, but I had no invitation's out so I whiled away the day at home

Fri. 26, — A light drizzling rain falling this morning; rained a little during the night; soon broke away, but was quite cool; spent most of the day in door's, reced a letter from John Caldwell assuring me of his support for Speaker; called on Judge Dame[,] spent the afternoon with him; in the evening called on the Miss Singer's; they had just heard new's from their quartz mine of its exceeding richness; quit the use of tobacco gave what I had to Annie and swore off for good.²⁶⁶ came home the wind blowing bitter cold.

Sat. 27, — Hired a buggy and taking Mr Tidball I went out to Findlays at Bear River²⁶⁷ and; attended a little suit entitled Laswell's & Co vs Fallon Hudson & Co for Dft's got the same dismissed they paying expense's; had a pleasant ride; got lost; saw curlew[,] Geese and other game returned home; went around town . . . went to the theatre saw Christie's troupe took an

oyster supper with Amy and [blank] then came up found Tim Grennan just returned from Fraser's River Spent the evening in my office the day bright cool and windy

Sun. 28, — Went to the Catholic Church with Spencer; saw Miss Singer's but not to speak to them; came home with the Misse's Dunn & Doeblor; reced a despatch from Mr's Kennedy that Judge Deighan was dead²⁶⁸ prepared to go below; took the 4 O clock Stage and went down [to Sacramento] was nearly frozen; never suffered so much in my life with cold Stopped at the Orlean's; found the Judge dead; Julia cold and distant but the old Lady very friendly; set up all night; Wash Montgomery, Mr's Coleman; Capt Frisbee, Miss Julia and myself also Lieutenant Carr; did not go to bed all night had a noisy time Julia seemed to try to act as bad as she knew how, blacked the boy's face's &c

Mon. 29, — Remained with the body until about 11 Oclock when the Dr's came and held a post-mortem examination over him; I witnessed it saw them take out his heart and open it; it was much diseased and the cause of his death; attend[ed] the funeral went first to Grace Church;²⁶⁹ service by the Rev [Hill] then proceeded to the Cemetry, and interred him without his heart; quite a procession in attendance; Mr's Coleman, Ella, Julia, and Mr's Kennedy rode with me;

[No entry for Tuesday, November 30]

DECEMBER 1858

Wed. 1, — Went up with Julia to Mr's Henarie's; saw Mr's Cobb; from there called on Mr's Wilburn and there was given a bouquet as a great favor by the Madam — Came home; in the evening Julia fulfilled a previou's engagement and went to the theatre with Mr Estell I went with a gentleman from Auburn; saw Stark play Money²⁷⁰ Came home the evening very cold and dull Staid during the evening in the room of Julia and had a very good time; reced a letter from B B Redding²⁷¹ requesting me to remain and speak at a meeting to be held in front of the Orlean's to rejoice over the new's of the election of Douglass.²⁷² concluded to stay

Thu. 2, — The day was most terribly windy and dusty; called on Mr Redding and notified him of my intent to remain and speak, saw Mr Jackson; had a chat with them when a fire broke out on I Street; was soon stopped or it soon would have destroyed the City, went back to the Orlean's and remained until evening then called with Mr Haswell, on Mr's Hatch, and Doyle, and saw their babie's also on his wife remained there and took supper at Mr's Van Avery's; Meeting was called at the Sacramento Theatre; Reddington²⁷³ presided I spoke first; it was very cold, a small crowd owing to the weather did not do first rate; ajourned early and came home;²⁷⁴ spent the evening with Julia and Mr's Kennedy in their room

Fri. 3, — Called on Mr Redding and at Mr's Torrey's during the forenoon spent a very pleasant hour with Mr's Lamott; came back to the Or-

lean's, borrowed some money of Mr's Kennedy and was presented by her with a very fine Cloak and pen & pencil case the property of Judge Deighan; wrote a letter for Mr's Coleman to her mother and one for Julia to Shipley; had some chatting and singing and a general good time; and left for home on the 3 O clock Stage, Julia and her Ma and Mr's Carlyle bidding me a long good bye. arrived safe at home about ten took dinner at Nicolau's²⁷⁵

Sat. 4, — At home; went around town some Called on Ridge & Dame and on Mr's Laird had a good long talk with her; attended the District Court remained there some time done no business Barbour's last day; the jury disagreed again and were discharged in the Seybert case. The wind blew terrifically the whole day; Ballou came down in the evening Stopped all day with me we had a good time he is here this evening as I write; reced \$110 from Clarke also; 150 from Tim Jerome on the Kellogg note; and ten dollar's from Gould for drawing deed and Bill of Sale; in the evening went around with Ballou to find Dr Thompson's but did not make it out

Sun. 5, — Bitter cold; did not go to church Ballou still here we done some good long talking and planning. in the afternoon called on Misse's Singer's had a good time with them found them very kind; Judge just down from his Quartz lead with over 100 [lbs crossed out] of Gold; but expecting a troublesome law suit; in the evening went up with Ballou to the Sister's Academy²⁷⁶ to see a Miss Heckle; was introduced to Father Dyer [Dyaert] and the Matron's had a pleasant little conversation with Father Slattery; who complimented me by calling me the Little Giant²⁷⁷ and said he understood I was approaching one of his congregation with sinister motive's;²⁷⁸ came down home and spent the whole evening reading writing poetry letter's &c — Went with Ballou and spent the evening at Pierson's had a fine time Miss Sarah sang played &c

Mon. 6, — Attended the County Court; it had rained a little during the night but was clear and cold during the day; made several motions in relation to several case's; and got them through all right; Jim Hitchen's was down; was garnashied in the Stebbin's suit and wrote a reply giving him hell. Judge Roberts; Judge McCorkle and a host of other visitor's were in here during the evening and day and politc's wer[e] all of the rage; walked up home with the Miss Singer's who had been out shopping and had a good time with them; in the evening went up there with Ballou and Hitchen's and spent a pleasant evening Came home Ballou staid all night with me

Tue. 7, — Made motion in the County Court in Dr Link's case; Court took time to consider the same; went into jail talked with some Mexican clients and went around to see some witnesse's and a woman of Manuel's she promised me some money gave Gonzale's some money was at the Foundery twice during the day had a good time seeing them cast &c;²⁷⁹ was dunned about getting married[,] the ban's &c; was sued by Stebbins paid the Note into the Sheriff's hand's; in the evening went out ratting called on Frenchy; Jim Hitchen's and Wilmot stopping with me; the weather as cold as hell

Wed. 8, — Another severely cold day; Attended the County Court during the forenoon in the afternoon attend[ed] Singer's Court defending my own case; I was sued on a note by J G Stebbin's McQuaid and Wilkin's appeared against me; I plead payment to the Sheriff under a garnishment, and win my case; in the evening drew up a motion and Statement on a motion for a New trial in the Case of Brady vs Hem pending in Auburn;^{279a} then went over to Yuba City to a Ball with Spencer and McGuire; had a good time came home in a carriage with Wazner [Wanzer] Johnson, Bowman, McGuire and Spencer went to the Club House had a great blow out; speech making &c & a capital time got pretty tight and came home late;²⁸⁰ after running around with Bowman on a fruitless hunt

Thu. 9, — Arose pretty late feeling rather thick headed; Hitchen's went home attended the County Court again, the weather rather cold; in the afternoon called on the Miss Singer's and invited them to go to Mr Murray's to a party but found that they were engaged to go to the Concert to night; in the evening attended the Concert a little while; and heard the Mary'svillian's Glee Club²⁸¹ hold forth; did not like them much; then went to Mr Murray's with Wanzer Johnson and other's found none there but the family; pitched in danced and c & had a very good time came home; raining a very little and the weather somewhat moderated

Fri. 10, — Raining, middling hard throughout the day; attended the County Court; Brady came after me to go to Timbuctoo took the stage and went up to Col. Whiteside's and staid all night found Carrie[,] Col Bean and Dessie as fine and good as ever had a beautiful supper; quail's and all other good thing's; had a good long talk in the evening and went to bed; still raining furiously; —

Sat. 11, — Got up in the morning to find the ferry boat swamped the River up and a crossing impossible.²⁸² staid with the Col all day; still raining by spell's but colder than usual; wrote a good long letter to Elida; by evening the rain let up; Mat Wood's came up and they endeavoured through the day to raise the boat in vain. Staid all night with the Col had a good long old fashioned talk with Carrie

Sun. 12, — Still at Park's Bar; the rain had nearly abated and River fallen Brady came over; told me a change of venue, had been taken in his case to Marysville; I made out the appeal paper's in the case of McLaughlin vs Brady; and remained with the Col until nearly evening, and then went home; with Mat Wood's in his buggy; had a cold muddy ride; found Dan Gattan's and Dean Lyman in town; stopped all night with Dean at the St Nicolau's²⁸³

Mon. 13, — Attended the County Court; done nothing came to the office; was retained by Steven's of Sutter to attend some business; also by Richard Jenkin's; also by Wm. Biger to defend him in the Court of Session's upon a charge of robbery; went to the jail and Station House; Hank Van Heusen came down to stop with me having had a row with his woman; in the evening called upon Miss Singer's found them very unwell with cold's; staid only a short

time; came home drew up an indemnify'g Bond for Jenkin's; loaned Skelton \$10.00 paid \$10 to Elleman, and \$10.00 to Milner the day cool and a little cloudy, but somewhat moderated in the evening.

Tue. 14, — Attended the County Court this morning Motion for a New Trial in case of The People, vs Link sustained and case continued until next term; spent the day in my office; had several visitor's; done no business much the day rather more pleasant than usual; somewhat cloudy but poor show for rain; in the evening George I Mix and Jenkin's were in the office; Pete Carrigan down here during the day.

Wed. 15, — During the day read some in Marshall went to the jail saw all of my pet's retained by Alexander Brown to Defend him on a charge of robbery, with Harris; found that he was agoing to swear rough against Harris so I tried to patch a peace but could not then drew out and refused to defend him; in the evening went up in the Haun House parlor and had a little dance with the Miss Murray's; Wanzer played on the piano then run around town drank some hot whiskey's &c and went to bed late.

Thu. 16, — Attended the Recorder's Court, expecting Harris would be called upon in the examination of the case of the People vs Brown, evidence for People given in Court ajourned until to-morrow. during the day read pretty steady Rowe was drawing up a Patent or Petition for one for Miller's Steam Wagon;²⁸⁴ went to jail again to day Saw Harris, saw his Domingua. in the evening went to another dance at the Haun House now the St Nicolau's Mr's Murray's[,] Baker's & Miss Stockton there; rec'd a letter from Ella of Illinois reproofing me for not answering her last letter wrote her an answer, also wrote to Father; the weather rather cool but quite clear; saw Jim Lewis, John Barber & Dean B Lyman in town

Fri. 17, — A good and a bad day both sent off my letter's; attended the Recorder's Court; Defended a Spanish Woman Donna Cruze Latona upon a charge of keeping a Dance House; she was fined \$30.00 & cost's. I advised her to go to jail; and then sued out a writ of Habaeu's corpus before Bliss and in the evening at Sheriff's office had the argument; Belcher²⁸⁵ appeared for the City; I opened[,] Belcher followed & Rowe prepared to close when the Court discharged the Dft upon the ground that keeping such house is no crime;²⁸⁶ went up to the Dance Hous[e] had a *very good* time; came down town and had some card playing for whiskey with some stage driver's then went up to Bowman's with Simmon's, & Fuller and played poker until late came out \$20 loser and came home

Sat. 18, — Done no business to day; read some and run around town some; went up and saw Josephine alias Little Cricket had a long conversation with her, and found her very intelligent the day was somewhat more pleasant than usual; walked up home with Miss Ada, found Miss Annie in the kitchen making mince pie's; went in and helped her a little; reced a letter from the Sheriff of San Francisco stating due service of paper's in the case of Schorer vs Schorer for a Divorce; — the Evening beautiful moonlight.

Sun. 19, — Attended the Catholic Church with Judge Dame, it was very cold; walked home with the Miss Singer's and Miss Dunn on the way she boned us about getting married, and we both denied it. — done some reading during the day; and in the evening went around and spent the evening with Miss Annie and Ada; found them very agreeable did not stay very late came home and went to bed, an alarm of fire run me out again late in the night but did not amount to much; the weather somewhat cloudy and cool wrote a letter to Wilson of Santa Cruz²⁸⁷

Mon. 20, — At home all day; ^{287a} finished reading the second vol of Chief Justice Marshall's Report by Brockenbough; John Flattery[,] Wm Edgar and Brady were in to see me, wrote a letter to Hawkin's of Auburn for Brady; done no legal business. the weather at night was very threatening and I trust we may have rain soon. had a long talk with Rowe about our future; he informed me that he thought of running for Dist Atty next year; and we agreed that our partnership; as far as to the time I was below should cease except as to what business I might send up; but the business was still to be carried on in the name of the firm; and to be renewed in full as ever upon my return.

Tue. 21, — Appeared in Recorder's Court for Donna Cruze Latona again charged with keeping a Dance House &c — case continued until to-morrow; in the afternoon 4 Mexican's were brought into Town by a crowd of men charged with cattle stealing I appeared for them before Singer and had their examination's continued until Monday next; got order's for their Horse's saddle's &c and for \$105.50 in cash in the hand's of the officer's got the money but the horse's were claimed; in the evening called upon the Miss Singer's with Johnson we engaged them for the Liede[r]krantz Ball; came home went up with Gonzale's and saw Jo staid there all night gave Gonzale's \$19.00

Wed. 22, — My horse's nearly all claimed away from me; the weather disagreeable; appeared in the Justice's Court for Lindley Williamson charged with Grand Larceny,²⁸⁸ gave bond's to appear on Tuesday went up to the jail and saw all the prisoner's on business. was retained in a couple more of prospective civil case's; went around with Gonzale's to try and get some money out of Some of the other's.

Thu. 23, — Raining as hard as it could pour all day; and I was in hope's that it would keep up; done no business, only a little in the line of consultation; in the evening ran around with Slingerland and Johnson; took an oyster supper and got to feeling pretty finely, fell in with Gov. Johnson and had a good time with him, went to bed late and a little tight

Fri. 24, — Arose late feeling dull as could be; bought some thing's and sent up to Whiteside's; got ready and took the stage for Timbuctoo arrived there about dark, just went in[,] run all around town seeing the folk's, playing billiard's &c, enjoyed ourselve's finely; went into Mr Boyd's, and Mr Howard's had some cake and wine and a good time found Mr & Mr's Howard very fine people, went to bed late everything going off agreeable.

Sat. 25,—Arose early took a horse and went over to Sucker Flat, & Smartsville saw all of the boy's excep Gorman; they were just letting out and I had to drink about a dozen time's; came over to Timbuctoo took a parting drink at Dunbar's; jumped into the stage and came down, like to have upset once; Stopped at Whiteside's, saw them a moment kissed Carrie &c good bye and came on down, took dinner at Zabriskie's found the boy's all here and everybody drunk went around to Judge Singer's took Christmas dinner and spent the evening there; Father Dyer [Dyaert], Knight and other's there; helped Ada wash the dishe's; had a fine time with her; entered into a privat arrangement on a brotherly scale with her;²⁸⁹ came home late, came down town and run around awhile with the boy's.

Sun. 26,—Felt dull and sick; too much Christma's staid in my office nearly all day; with Slingerland and Whealdon and other's in the evening raining hard went up to Judge Singer's and spent the evening with Slingerland found the young ladie's quite dull. came home and went to bed

Mon. 27,—During the forenoon done nothing much; Rowe was transacting some business with a man by the name of Pierce; I attended the examination of the 4 Mexican's charged with Grand Larceny; tried one first[,] found guilty and held over, I then waived an examination of all the rest; and several more complaint's were sworn out against them; read the President's Message;²⁹⁰ and in the evening wrote out some comments on it and then had a long talk with Jim, about money, women and legislative affair's. Dr Warfield called in

Tue. 28,—At home feeling blue dull and sick; Rowe attended to Lindley Williamson's case; and I spent most of the day in the office; the day middling clear and pleasant; went up to jail and saw the prisoner's in the evening went with Warfield[,] Slingerland[,] Rein's &c to Mr Pierson's and spent the evening had a fine time; Warfield presented me with a breast pin. made some engagement's for to-morrow —

Wed. 29,—Arose early and ran around town dunning my debtor's and being dunned by my creditor's, visited the jail and other rendesvoz of sin and iniquity trying to fix up my affair's; in the evening went to the Liede[r]krantz Party²⁹¹ I took Miss Annie and Johnson took Miss Ada; Slingerland was there; we had a fine time danced until about two O clock felt a strange tugging at my heart when I bade my little fair one's a good bye; sat up until daylight to wait for the boat.

Thu. 30,—Came down on board of the Jame's Blair;²⁹² Whealdon, Slingerland[,] Vaughn of Sutter and myself. had a dull and sleepy time; got in about 11 O clock; feeling very sick. put up at the Orlean's, found Mr's Kennedy as good as ever, and Miss Julia full of air's. went around with Jim and John looking up a boarding house concluded to locate at the Casca House²⁹³ (formerly Mr's Torrey's) went back to the Orlean's and went to bed.

Fri. 31,—Feeling quite unwell during the day; went around and engaged the room and parlor at the Casca House; one bed room and parlor Judge



THE MAIN STREET OF TIMBUCTOO IN THE EARLY SIXTIES

Caldwell of Nevada²⁹⁴ rooming with us, term's \$13.00 per week and all thing's found; in the evening went to the Ball of Knickerbocker Engine Co No 5 at the National Theatre with Jo Virgo, Mr's Haye's & Kennedy and Miss Julia; had a good time dancing with servant girl's &c the whole affair a failure of the first magnitude;²⁹⁵ returned home after having an oyster and champaigne Supper. Sold out my stock in Julia

So goes the old year as the record show's
What next will be, God only knows
But reader; if this Book you view
Naught will you find but what is true
Judge not to harshly of the Author's life
Mixed with business and with pleasure's strife
I deem I have some honor's sought and gained
Within the circle of the Old Year's round

NOTES TO THE JOURNAL FOR 1858 (CONTINUED)

138. John Keller ran a saloon at the southwest corner of 3rd Street and Maiden Lane (now Oak Street), Marysville, and was considered to be a man of considerable standing in the community.

139. "Zach" Montgomery was a picturesque character. He came to California from Kentucky early in the fifties and practised law in Marysville from 1854 to 1864, with offices on D Street between 2d and 3d. He was a strong Southern sympathizer and a leader of the "Lecomptonites." He lived in Yuba City and was a "Breckenridge Democratic" member of the 1861 Assembly from Sutter County. (See Note 20 for his contest for a seat in the Assembly of 1858.) He removed to San Francisco in 1864 and was for a time editor of the *Occidental* and the *Vanguard*. He died at Los Angeles, September 3, 1900. (See T. & W., *Yuba County*, p. 50; *Cal. Blue Book* 1907, p. 606; Shuck's *Bench and Bar*, p. 537, and Phelps's *Contemporary Biography*, Vol. 2, p. 68.)

140. J. Ruth's "Premium Gallery" was on D Street, near 3d, Marysville, and "ambrotypes, photographs, melaneotypes and daguerreotypes" were his specialty (advertisement in the *Express*, Oct. 14, 1858). He was reported to be "an excellent Daguerrean artist," and took three first premiums at the State Fair of 1858. (*Daily National Democrat*, Oct. 5, 1858.)

141. Major William Singer, born in Pittsburgh, Pennsylvania, came to California in 1850. He had previously been in California and New Mexico in charge of a small force of cavalymen, having been sent out by the Government during the early stages of the Mexican War for the purpose of investigating their resources. For a short time after arriving in California for the second time, Major Singer engaged in mining, but soon retired from this activity, and in 1853 commenced the practice of the law at Marysville. He was elected Justice of the Peace there twice, and in 1858 became Mayor of the city. Major Singer had married, in April, 1847, in Pittsburgh, Frances Josephine Fortune O'Connor, widow of James O'Connor and mother of Anna Elizabeth O'Connor and Frances Adelaide O'Connor. She died on February 23, 1848, nine days after the birth of Francis William Singer. When Major Singer came to California he brought with him his two stepdaughters, "Annie" and "Ada" (or "Addie"), who were always known in Marysville as "The Singer girls" and are called in De Long's Diary "the Miss Singers." They were undoubtedly charming girls and extremely popular in Marysville, and they exerted an unquestionably excellent influence upon young De Long. Both of them died young. On May 16, 1865, it is reported in the Marysville *Daily Appeal* that Miss Annie E. Singer died (on May 14) at the age of 25 years, a victim of consumption. "St. Louis and Pittsburgh papers please copy." Ada also died of consumption on June 29 of that same year. In the Marysville *Appeal* for May 25, 1864, she is reported to have won a prize at a large picnic for the best target shooting.

In November, 1848, Major Singer married in St. Louis, Mo., Miss Arabella Selkirk, and by her he had two children; William Jr. (born October 5, 1850, in St. Louis), who was for many years chief land attorney for the Southern Pacific Company and an eminent authority on land law; and Belle Marie (born in 1852), to whose daughter, Mrs. Anna Brann, of Alameda, we are indebted for the above information. Major Singer died in San Francisco at the age of 89 years, on June 27, 1901.

142. Josephine Bliss was a sister of Judge Simeon M. Bliss. (See Notes 25, 1854, and 132, 1858.)

143. Dr. Xavier Link, from Germany, had his offices during this period at No. 70 D Street. (See Note 31, 1857.) He advertised in the Marysville *Daily News*, July 1, 1858, et seq. as a "Physician, Surgeon and Accoucheur" and as "Deutscher Arzt."

144. See Note 130, 1858.

145. No information has been discovered giving the precise location of "Mike" Gray's place, although it could not have been far from Marysville since with poor roads and horse transportation De Long was able to go to bed at 4:00 A. M., get up, drive home to Marysville, get an order of court, and put in "nearly all the afternoon" taking a deposition. (Sugestions by Stanwood.) (See also Note 47, 1854.)

146. (See Note 140 re Mr. Ruth.) William B. Latham, Jr., advertised in the Marysville *Daily News* of this period as a "Notary Public and Conveyancer, Real Estate Agent, Searcher of Records, and Commissioner of Deeds." He also stated that "persons having served in any of the Indian Wars in California, Oregon, &c., or in any wars of the United States and entitled to Bounty Land Warrants can procure the same by applying to" the advertiser. His office was on D Street between 1st and 2d. Latham had come to California from Newburgh, New York, arriving in San Francisco on August 31, 1849. A few weeks later he went to Marysville, where he resided until 1866. In that year he removed to San Francisco and lived there until his death, December 10, 1910. In 1860 he married, in New York State, Miss Phoebe Bell Carpenter and brought her back to Marysville to live. Of their four children, Lewis A. Latham is dead, Miss Elizabeth W. and Mr. William C. Latham, active members of this society, are living in Berkeley, and Adeline B., now Mrs. Drew L. Gilliland, is living in Ventura, California.

147. On July 7, 1858, the Marysville *Daily News* reported as follows:

"FIRE. About one o'clock on Sunday night a fire broke out—supposed to be the act of an incendiary—in the old frame building known as the St. Louis Hotel, on Front Street, between D Street and the Plaza. . . . The gallant firemen reached the ground almost simultaneously with the alarm, and worked like heroes. The wooden buildings, however, were beyond redemption, and the efforts of the firemen were mainly directed to saving the good buildings, which they triumphantly accomplished. The burnt district, it is hoped, will soon be covered with handsome brick buildings."

148. The papers of the period were crowded with news of the great rush to the Frazer. In the mountain counties everything was topsy-turvy, all the foundations of their fragile society being rocked by the unreasoning excitement. (See Note 129, 1858.)

148a. Probably the Haskins of the well-known mercantile firm of Haskins & Humphreville.

149. Rowe's and De Long's action in respect to this attachment bordered not a little on sharp practice, but they should not to be harshly condemned, because they were merely following what was then a rather general custom—one which is still much in vogue. If their clients could divest themselves of legal title to the property to be attached before the attachment was actually made by the sheriff, the party bringing suit would be unable to lay his hands upon the goods in question, and would have to rely upon his general rights under whatever judgment he might obtain. In this instance delivery appears to have been thought necessary as well as the mere passing of documentary evidence of title, though the entry on July 10 discloses that De Long prevailed before the sheriff when that functionary sought to ascertain the ownership of the goods.

150. Charles Westmoreland, born in Georgia in 1829, was a member of the State Senate during the sessions of 1856 and 1857. He was elected from Placer County, and was reported as a member of the American (Know Nothing) party in 1856 and as a Democrat in 1857. He later aligned himself with the Free-soil wing of the Democratic party. He was a boon companion of Senator William I. Ferguson, who was killed in a duel with General Pen Johnston in August, 1858 (see Note 213 re Ferguson), and was at one time known as a rather "high liver." (See sketch of his life in Shuck's *Representative Men of the Pacific*, p. 361 et seq.) In 1867 he was elected to the Assembly from Humboldt County as a member of the Union party. The next year he was elected Presidential elector on the Republican ticket, but died at Panama on December 23 of that year, of smallpox, while en route to Washington, D. C.

151. The word "saloon," as used by De Long in his Journal, as where he tells of taking some young lady to "an ice cream saloon," was a term in frequent use to signify various types of eating and drinking places, as in later years the term "oyster saloon."

152. The Democratic District Convention, here mentioned, was for the purpose of nominating a district judge. The Marysville *Daily News* for July 14, 1858, after recounting the failure of the delegates to arrive at a nomination, reported that an adjournment was had *sine die*, "and the country is safe!"

153. De Long's account of his pre-convention campaign in the hills and mountains of Yuba County is enlightening upon the question of the practical machinery of local politics during the fifties. It is evident that, in general, a great deal more interest was taken in these matters at this period by the ordinary citizen than is the case today. De Long's campaign was enlivened with real issues (frequently lacking today), and his efforts were given impetus by the split which had occurred among the leaders of his party.

154. "Mud Sills" was the appellation given to the anti-administration, pro-Douglas, anti-Lecompton faction of the Democratic party of which De Long was an enthusiastic supporter. The term originated with Senator J. H. Hammond of South Carolina, who, in a pro-Lecompton speech in the Senate, used this expression in connection with the laboring element in the Northern States. There must be, he declared, a class of men to do the menial duties of the world, in order that there may also be a class leading to progress, civilization and refinement. The former he termed "the very mudsills of society," and Broderick—a rabid anti-administration Senator—immediately seized upon the term, and before long the Douglas-Broderick-Anti-Lecompton Democrats became universally known as "Mudsills." (Letter in the *Union*, June 1, 1858: Bancroft, *History of California* VI, p. 708, Note 39.)

The Marysville *Daily News* for July 17, 1858, declared: "Very much to our surprise, on Thursday evening the Mudsill wing of the Marysville Democracy carried all before it. . . . What the deuse (sic) is in the wind?"

155. A Court of Sessions in each county was provided for in the "Act concerning the Courts of Justice" of May 19, 1853. It was composed of the county judge as presiding judge, and two justices of the peace of the county as associate judges. These associates were elected by the justices of the peace of the county by ballot, a majority of such justices constituting a quorum for such election. It was a Court of Record. The other courts of the State at this period were: the Supreme Court, the District Courts, the Superior Court of the City of San Francisco, the County Courts, the Probate Courts, the Justices' Courts, the Recorders' Courts and the Mayors' Courts.

156. John T. McCarty practiced law for some time in Marysville and for a short period was City Recorder, or "Police Judge." He was a graduate of an eastern college and one of the founders of the Phi Gamma Delta college Greek letter fraternity. He passed away in Marysville about 1860. (Stanwood.)

157. Colonel Francis L. Hatch (see Note 81, 1857) was a very prominent man during this period. He came to California from Texas in 1852 and practiced law in Marysville. He later removed to Colusa County where he served two terms as County Judge and then became Superior Court Judge. He died on October 5, 1881, from injuries received in a fall on the Courthouse stairway. The Sacramento Union for Oct. 6, 1881, states that "as a lawyer he had but few equals in the State." For a good sketch of Hatch see *Colusa History*, 1888, pp. 73-74, and Rogers' *Colusa County, Its History*, pp. 390-91.

158. The "Superior Courts" were those above the rank of Justice of the Peace tribunals.

159. The Marysville *Daily Express* for July 27, 1858, contains a full account of this convention, which nominated E. D. Wheeler for State Senator, W. H. Parks for Joint Senator (Yuba and Sutter counties), and C. E. De Long, James S. Slingerland, Mortimer Fuller, Joel Stoddard and John Whealdon for Assemblymen. Says the *Express* of the evening session:

"The rules were suspended, and on motion of C. M. Gorham, C. E. De Long was nominated by acclamation as a delegate at large for the Assembly. After the result was made known by the Chair, Mr. De Long was loudly called for, came forward, and made some eloquent remarks, defined his position on the Lecompton Constitution, expressed his opposition to the admission of Kansas under it, but was willing to accept the English Compromise bill as a final settlement of the question, at the close of which he was loudly applauded."

160. The Marysville *Daily News* reported on the 28th that of the ninety-three delegates, sixty-one were Douglas Democrats or Mudsills, with only thirty-two "Chivalry" men. "They really went through the farce of organizing, as though they were all on the best of terms, and had not the slightest notion of breaking up in a row." But the "Douglasites" carried on "with a high hand, not deigning to throw even a crumb of comfort to the Chivalry. Then the long suppressed war broke out," and the Buchanan men held their own convention under Byron Whitcomb as President and J. C. McQuade as Secretary.

161. In hoisting the Democratic ticket to its masthead the Marysville *Daily Express* for July 28, 1858, has the following to say of De Long:

"It will not be necessary to inform the people of this county, or indeed of the whole State, who is 'Charley' De Long. They know him as the young, the gifted and the eloquent. His county is proud of him and the Convention, though having in its midst a representation, to a considerable extent, of men entirely opposed to his Anti-Lecompton course in the Legislature of 1858, nominated him as an Assemblyman for the county at large, by acclamation. Unanimously was he endorsed by

all elements in the Convention, and thus won for himself a distinction which is rare indeed. Mr. De Long is a lawyer by profession, came from New York to California in 1850, settled in Yuba County in 1852, was Deputy Sheriff of the county, under Mike Gray, in 1854, was elected to the Legislature in 1857, is unmarried, but would like to strike the *un off*, is a self-educated man, and is 25 years of age. His election is of course certain."

The *Express* soon turned about face and became a rabid Lecompton or "Chivalry" organ, the *Daily National Democrat* taking its place as the mouthpiece of the Anti-Lecompton or Douglas Democrats.

162. William T. Barbour, a Kentuckian, graduate of Transylvania University and veteran of the Mexican War, was District Judge of the Eighth Judicial District, comprising Yuba, Sutter, Nevada and Sierra counties, from 1850 to November, 1855, when Nevada and Sierra counties were taken out of that district and placed with Plumas County in a new district. Barbour continued as Judge of the Eighth District, at Marysville, until 1859. The following year he went to Virginia City, Nevada, and served for a time as its City Attorney. He died there on May 11, 1872. (T. & W., *Yuba County*, p. 120; Bean, *History and Directory of Nevada County*; *Union*, May 13, 1872; *Alta*, May 15, 1872.)

It was with Stephen J. Field that Barbour had the controversy which resulted in the most famous of California "near duels." It seems that George C. Gorham had publicly criticised Judge Barbour in an article in O. P. Stidger's *Herald*. Later in that day the indignant Kentuckian saw Field, the person whom he suspected as the author of the stricture, walking to his office with his arms full of books. Barbour promptly assaulted the lawyer, and after onlookers had separated them, Barbour challenged Field to a duel. The "code" allowed the challenged party the choice of weapons and the manner of meeting, and Field proposed knives in a dark room. Barbour refused to accede to this, claiming it to be cruelty. It was then determined to use pistols, across Bear River, Charles S. Fairfax acting as Barbour's second, and Gordon N. Mott as Field's. When the parties arrived on the scene, however, the mistake which had led to the meeting was explained and the seconds thereupon determined that no breach of honor had occurred and called off the encounter. (T. & W., *Yuba County*, p. 128. See also Field, Stephen J., *Personal Reminiscences of Early Days in California*, [1893], pp. 86-92.)

163. Monte Cristo was a popular name for rich diggings in the early days and there were many spots of this title. There was a "Monte Cristo Tunnel" near Forest City, where diggings were opened in 1854 and a large settlement grew up, for a time almost rivalling Downieville. This soon died out. The "Monte Cristo" to which De Long here refers, however, was probably the famous mine high on the rugged ridge north of the North Yuba cañon and a few miles northwest of Downieville. On this same ridge were Brandy City and other famous diggings, for in this vicinity the ancient gravels were of exceeding richness and for many years yielded large amounts of gold.

164. D. A. ("Dave") Elwell is listed in Amy's Marysville Directory, 1858-59, as a member of the firm of Bourne, Elwell & Co., grocers, at 4, 6 and 8 E Street, Marysville. He came from Gloucester, Massachusetts.

165. The "Fair House" was the "Pavilion" located on Cortez Square and the scene of the State Fair during the year 1858. (See entry for Aug. 6 and Note 171.)

166. The rich "Chandlerville Diggings" are now so thoroughly forgotten that no living person could be found who had ever heard of the locality. "Chandler's Diggings" were located, however, some ten miles from Marysville between Brown's Valley and Long Bar, somewhat to the left of the Parks' Bar road. (Marysville *Daily News*, July 28, 1858.) This newspaper reported the strike as one "of almost fabulous richness." On July 25 it stated that three men had taken out in one day a number of quartz boulders "worth, in the aggregate, between two and three thousand dollars." On an average day, the production of the mine was declared to be from \$30 to \$40 per day to the hand. It was short-lived, and the other "Chandlerville," a mining camp near Howland Flat and Rabbit Creek (Laporte), is not to be confused with the Chandlerville here mentioned by De Long.

167. Of these notices the following are noteworthy:

"C. E. De Long has been nominated for reelection to the Assembly from Yuba County. He is certainly a 'very clever little fellow,' but he was the most obnoxious member of the last Legislature, not because he could not help it, but because he was will fully disposed that way; wanted to 'make talk' and impede all rational proceedings, a course which should guarantee no representative a second opportunity."—*Sierra Citizen*, Downieville, July 31, 1858.

"Among the Yuba nominees for Assembly, we notice that Chas. E. De Long stands first in order. This we account and know to be a misfortune. Mr. De Long has an exceedingly youthful appearance, but he is twenty-six years of age, and he ought to know the value of an occasional silence. Last winter he was a babbling nuisance in the House; speaking on all questions, and more lengthily upon

those with which it was evident he was least acquainted. He is one of the kind of *smart* men, who are crank on every topic, who are applauded for having obtained that little learning which is a dangerous thing."—San Francisco *Times*, July 30, 1858.

168. William C. Burnett was Senator from Yuba County in 1856-57 (American party). He died in San Francisco on Feb. 9, 1907. (*Cal. Blue Book*, 1907.)

168a. See Note 148a.

169. The Democratic State Committee had, on May 10, called a State Convention to meet in Sacramento on August 4. The division of the party on the Kansas question, with Senator Gwin and Congressman Scott supporting President Buchanan and his administration and Senator Broderick and Congressman McKibben supporting Senator Douglas in his revolt (see Note 22) was the source of great confusion. In almost every county of the State the party divided, as it did in Yuba County, two sets of delegates being sent to Sacramento. To the Gwin (or "Lecompton") adherents the Douglas (or "Anti-Lecompton") followers were equally anathema with the "Black Republicans." A tremendous controversy was waged in the newspapers throughout the State, and when the time for the Convention arrived there was no longer even any thought of a joint session of these rival factions.

The "Administration" convention met on the appointed day at the Congregational Church, Sacramento, under the chairmanship of James H. Hardy. Among the Yuba County members of this group were H. P. Haun, "Zach" Montgomery, W. T. Barbour, Lloyd Magruder, S. C. Tompkins and Charles Lindley. Resolutions supporting Buchanan and strongly condemning Douglas and all his ilk were adopted, and nominations of Joseph G. Baldwin for Justice of the Supreme Court and A. R. Meloney for Controller were made.

The "Anti-Lecompton" convention met on the same day in the Baptist Church, Sacramento, with H. Griffith as president. Resolutions of adherence to the "popular sovereignty" planks of the Cincinnati platform of 1856 were adopted, and the following nominations were made: John Currey for Justice of the Supreme Court, I. N. Dawley for Controller, H. V. Jennings for Clerk of the Supreme Court, and Joseph C. McKibben and Wm. L. Dudley for Congressmen.

At the election on September 1, Baldwin and Meloney were elected, Governor Weller having refused to include the other offices in his election proclamation, in view of legislative action changing the time for electing such officers. Had the election been held a month later, declared the *Union* on September 6, it would have gone overwhelmingly to the Anti-Lecomptonites, but it came too early to allow them time to organize in many counties, and the influence of both Federal and State officials was thrown heavily into the contest on the side of the administration. (See Davis, *Political Conventions*, Chap. X.)

170. De Long's "card" defining his political faith was published in the Marysville *Daily Express* for August 7, 1858, and read as follows:

"A CARD

"To the Voters of Yuba County.

"I am a nominee for the Assembly, subject to your decision at the ensuing election. I received a unanimous nomination in the Democratic County Convention of this county, but since I was nominated, the Sacramento fight has been made and I doubt not but many and in fact all of you desire to know, how I stand and what crowd I belong to. In answer, I will give you a few of the cardinal principles of my faith, simply avering that I am a Democrat, thinking for myself, speaking what I think, fearlessly, and, with you I entrust my election, careless of what the result may be, anxious only to know whether a majority of the people of my county think and believe with me; and fully determined that no man shall have it to say that he voted for me through a mistake of my principles; and after stating my political faith, I leave you to determine who and what I am, and to what crowd I belong.

"1st. I believe in the doctrine of popular sovereignty, as defined by Stephen A. Douglas.

"2d. I was and am, opposed to the Lecompton Constitution; I voted against it last winter in the Assembly and would do so again if called upon.

"3d. I believe the English bill should be acquiesced in by all parties, as it is now a law, and leave the people of Kansas to decide for themselves; I like the portion of that bill which referred the Constitution back to the people; but detest the land bribe and the ninety-three thousand threat; and if the people of Kansas (as I hope they will) reject the Lecompton Constitution, and adopt another of their own free choice, and demand at the next session of Congress admittance into the Union, under the same; I would favor their admittance with all my power, regardless what the nature of that Constitution might be, only desiring to know whether the same was republican in form and in conformity to the Federal Constitution.

"4th. I shall not vote for Members of Congress or a Clerk of the Supreme

Court, at this election, for the reason that the last Legislature passed laws postponing these elections and I feel bound to obey the same until they are pronounced unconstitutional by the Supreme Court or repealed.

"5th. I am opposed to man-worshipping and losing sight of principles. I believe it to be an inherent right of mine or any other man's, to disagree with any member or officer of any party, high or low, and my bounden duty as a Democrat and a man, to boldly, upon all occasions, avow my principles; and any man, clique or faction, who would endeavor to read another out of the political party to which he belongs for thus doing, *as long as he can preach from the text* (his party's platform) to be unworthy of regard.

"6th. I believe that we have no right to farther agitate this Kansas question at this time, in this State, as it can do not good, but will do and is doing much harm; and I believe such agitation is only calculated to destroy the Democratic party.

"7th. I am a Democrat, and such I shall continue to remain, whether I stand alone or with the old and invincible party with whom I have always done battle. I endorse the past Administration of James Buchanan (so far as I am conversant with the same) except his Kansas policy; I will support him as far as I think he is right, and oppose him in all things that I think him wrong.

"8th. If elected by your suffrages to the ensuing Legislature, I will stand up to all I have here expressed, although alone; and watch over and protect the interests of you all to the best of my ability. Respectfully &c.,

"C. E. DeLONG."

171. Of this ball, the Marysville *Daily Democrat* for August 7 said:

"Light-heeled votaries of Terpsichore, last evening, inaugurated the Pavilion in glorious style. The company was large, the ladies were exquisitely charming, the gentlemen were in tip-top spirits, the music was enchanting, and the interior arrangements of the Pavilion superb. . . . It was a season of unalloyed happiness, and everybody went home and to bed, perfectly satisfied with themselves and all the world."

172. Mrs. L. A. Baker, from Kentucky, kept a private boarding house at 142 3d Street, Marysville, in 1858. (Amy's Marysville Directory, 1858-59.)

173. John Rollin Ridge was the son of a full-blooded Cherokee Indian and his American wife, formerly a Miss Northrup of Connecticut. An article in the *Wednesday Press*, Sacramento, Jan. 26, 1904, says of him: "He was educated in New England, and in 1850 came to California, having previously married. After trying his fortunes in the mines a little while, he entered journalism and politics, and died at Grass Valley, October 5, 1867. He was a very handsome man, with splendid physique, noble bearing, jet black hair and large, dark eyes. . . . In this State, Ridge engaged in journalism first at Marysville and afterward at Sacramento. When the *Bee* was established in February, 1857, he was its first editor, being succeeded on April 6th by James McClatchy. Returning to Marysville he edited the *Express* [1858] and later took charge of a new paper, the *National Democrat*, and earnestly espoused the principles of Stephen A. Douglas, with whom he corresponded during the eventful period following his breach with the Buchanan administration. He was one of the first editors in California to denounce secession as treason and to insist that the Government must resist it with force if necessary. Ridge made a reputation as a dignified, courteous and forcible political writer. His poetical effusions were marked by strength of imagination and vigor of expression, and had given him considerable reputation over the nom de plume of Yellow Bird before he became a journalist. He had a cultivated taste in letters, was a noted shot, and made many warm friendships. After his death his poems were collected and published in a small volume."

The *Alta* of Oct. 8, 1867, states that "In 1861 he edited the San Francisco *Herald*, during which time he was nominated for State Printer on the Union-Democratic ticket, headed by John Conness. Later, he edited the Grass Valley *National*, but during a year or two past he had been absent in the East, strong inducements having been offered him to accept the position of leader of the anti-Ross faction in the Cherokee Nation. This scheme was relinquished, and he returned to this State, and up to the time of his death he was engaged on his paper at Grass Valley. He was a prominent candidate for State Printer before the Democratic Convention that met in this city last June. . . . He leaves a wife and one child. . . . Mr. Ridge was about forty years of age at the time of his death."

In addition to his *Poems*, (published by Payot & Co., San Francisco, 1868), Ridge was the author of *The Life and Adventures of Joaquin Murieta the Celebrated California Bandit*, which went through several editions.

174. Mortimer and Orlando Fuller came to California from Michigan. Mortimer started a livery stable in Marysville in 1851, which establishment was listed in 1858 as the "Pioneer Livery Stable," under Orlando's name. Mortimer was Assemblyman from Yuba

County in 1857 as a Democrat, and served with De Long in the 1859 session as an Anti-Lecompton Democrat.

175. The Marysville *Daily News* (James Allen, Editor) published on August 8, 1858, a letter signed "Always a Democrat" and addressed "To Hon C. E. De Long," in which the candidate is asked which State Convention he will follow and which platform he will support. (See Note 160 re rival Democratic conventions.)

The next day De Long responded in an open letter addressed "To Always a Democrat":

"My Dear Sir:—Presuming you to be a gentleman, yet you will allow me to assure you that you have not approached me in a way exactly usual between gentlemen. If, sir, you were my friend, and a resident of this city, why did you not call upon me? If a friend, living out of the city, why did you not either address me a private letter, or publish the one you did write over your own proper name; and not over a *nom de plume*, so often claimed but so rarely due? For several reasons, then, I deem, first, that you, are not my friend, either personally or politically, and by addressing me in the manner you have, only desire to draw me into a newspaper controversy; having, on your side, nothing to lose. Therefore, sir, until I am further informed, relative to yourself and your motives, I shall decline answering any of your interrogatories; not through any desire to avoid the responsibility, but for the reasons before stated, and also for the further reasons, that I soon expect to canvass this county, and before my fellow-citizens, proclaim my views upon the rostrum, far more satisfactorily than I could hope to do through the columns of a newspaper."

Writing over the *nom de plume* of "Pax," a correspondent of the *Express* on August 9 called on all Democrats to support De Long as "a compromise or peace candidate," on the basis of his "card." The *Daily Butte Record*, however stated on the 11th that "Charley ought to have sense enough to know that he cannot carry water on both shoulders—that he cannot endorse the English bribe, and support popular sovereignty. If he don't 'dry up,' as great an ass as Nin. Whitesides ought to beat him. Either go as a Democrat, Charley, or don't go at all. Go as a legislator—not as an ass-emblyman."

The *Nevada Democrat* of Nevada City on the same day discussed the problem of the English Bill as mentioned in De Long's card, and the San Francisco *Times* stated of the Marysville move to obtain a transcontinental telegraph line: "Yes, and when Marysville has the line fairly in operation, let the first year be devoted to the transmission of one of De Long's speeches. That'll test it."

176. Joseph W. McCorkle was one of the leaders of the Anti-Lecompton wing of the Democracy, which was supporting Senator Douglas against the Buchanan administration on the popular-sovereignty issue. He had served in the Assembly representing Sutter County in 1851, and as Representative in Congress, 1851-52. In 1853 he was appointed Judge of the Ninth Judicial District. He was one of Broderick's chief supporters. (Davis, *Political Conventions*, 639. See also O'Meara, *Broderick and Gwin*.) His duel with Senator Gwin in 1853, though bloodless, was one of the notable early encounters of that character in California. Judge McCorkle lived at Virginia City during the sixties, and removed to Washington, D. C., in 1871, where he practised largely before the Mexican-American Commission. He died in 1884. He gave to the Marysville City Library a large collection of books, called the "McCorkle Library" and consisting largely of Congressional Globes and Reports. These volumes are still to be found at that library, though not now kept together as a separate collection. (Stanwood.)

177. This paper was probably the *Daily National Democrat*. (See Note 181.)

178. Miss Emma H. Baker was a sprightly young dancing instructor. She may have been the daughter of the Mrs. Baker with whom De Long was now boarding, though we cannot be certain of this. She resided at the corner of 3d and High streets, and on Nov. 7, 1858, the *Daily National Democrat* stated that "this accomplished young lady will shortly open a Music and Dancing School," adding that she had had "ample experience as a teacher of music and dancing," and that "her reputation is commensurate with the length and breadth of the State, and her popularity extensive in every locality which she has visited." Her advertisement in the same paper on Dec. 9, 1858, declared that she had obtained the use of the Pavilion on Cortez Square for her "Select Dancing School" which would open on the 11th, and that she would "teach the latest and most fashionable DANCES, consisting in part of the MORAWK, GERMAN and two different styles of LANCER'S QUADRILLES. Also a new Fancy Dance, the FAVORITE REDOWA."

179. Thomas Crow was awaiting trial for the murder of Hiram Montgomery at Yuba City on January 2, 1858. Asa Coombs was "a noted thief" (*Daily News*, Aug. 11, 1858) and was charged with grand larceny. Rewards of \$400 and \$100 respectively for the apprehension of these desperadoes were offered by the sheriffs of Sutter and Yuba counties (*Daily Express*, Aug. 11, 1858.)

180. E. D. Wheeler, Anti-Lecompton Democrat, was Senator from Yuba County, 1859-

60. From 1872 to 1880 he was Judge of the Ninth Judicial District. He died in San Francisco on January 15, 1895. (*Cal. Blue Book*, 1907.)

181. Of this meeting at Long Bar No. 1, The Marysville *Daily National Democrat*, of which John R. Ridge is listed as Editor and which seems to have been the *Daily News* under a new name (See entry for August 9), declared on August 13, under the title, "The Mountains Rejoicing":

"Full two hundred Mudsills, says our correspondent, assembled upon one hour's notice. E. D. Wheeler and C. E. De Long, who are to represent us at Sacramento next winter, addressed the crowd, and their manly and eloquent utterance of the truth was listened to with delight by the applauding audience. There are but three Lecomptonites on the Bar, as far as can be ascertained. Judge McKenzie presided over the meeting, which was held at the Town hall. This is great news, for it is the first gun."

182. Sucker Flat was a populous mining camp just north of Smartville. It is now no more, save for a single house. In its place is a great gash left by the Smartville hydraulic mining operations of later years. (Smartville was originally called Smartsville, but the Post Office Department some years ago removed the "s.")

183. Jesse O. Goodwin was the Independent Douglas candidate for joint Senator of Yuba and Sutter counties. He was a native of New York State and came to California from Columbus, Ohio, in 1849. (*Hutchings' California Magazine*, Vol. II, p. 434.) He was District Attorney of the county, 1850-51; Supervisor, 1855; State Senator, 1857-58; City Recorder, 1859, and County Judge, 1862-67. In 1877 he was again elected to the State Senate (for the years 1878-79), this time as a Republican. He died suddenly at White Sulphur Springs Hotel, Vallejo, on July 15, 1879, aged 62, shortly after his marriage with the noted San Francisco opera singer, Mary E. Wadsworth, daughter of Major Wadsworth of Marysville. (*Union*, July 17, 1879.) *Hutchings' California Magazine* (*loc. cit.*) says that he was "one of the most forcible and eloquent speakers in the Senate and well known as the author of the able Report upon Prison Affairs which created so marked a sensation throughout the country." He was the elder brother of Judge Charles C. Goodwin, who was later editor of the *Virginia City Enterprise* and author of several books, including *As I Remember Them*, a group of reminiscent sketches on early western pioneers, published in Salt Lake City in 1913. (Parkinson's *Pen Portraits*, 1878, p. 25.)

184. On August 12 the *Daily Express* withdrew its endorsement of the Assembly nominations, including De Long, and came out for the administration. In an article entitled "Hard up for 'Mud Sills,'" it declared on August 19:

"Messrs. Wheeler and De Long, Broderick-Republican candidates for Senate and Assembly, last week started out on an electioneering tour. They met with indifferent success in their travels until they got to Timbuctoo, where they expected to have a grand reception and carry everything before them, by means of a magnificent and enthusiastic meeting of Broderick-Republican Democrats. Unfortunately their arrival was not announced by artillery, nor yet by Chinese gongs. But, *nil desperandum* being their motto, they determined to have a big meeting any way; and, with that end in view, called upon a number of gentlemen, whom they supposed to be 'mud sills,' to act as Chairman and Secretary of the grand meeting. . . . The illustrious candidates must needs speak—they could not speak without a meeting, and could have no meeting without somebody to preside and act as Secretary." Finally, added the hostile editor, they found a "regular democrat" who as a personal favor, and "being somewhat humorous withal" helped out.

185. See Notes 44 and 76, 1856.

186. The *Daily National Democrat* for August 15, 1858, states of this meeting that "Lecompton men are rare curiosities in the vicinity of Ohio Flat."

187. Writing from Camptonville a correspondent of the *Daily National Democrat*, signing himself "Polaris" states:

"Our town was enlivened this evening by the appearance upon the stump of Messrs. Wheeler, De Long and Whealdon, who addressed a large and attentive audience in front of the Arcade Saloon. Wheeler stated his position in a clear and lucid manner; Charley was impetuously [*sic*] eloquent as usual, taking his audience as it were by storm; Whealdon's being his maiden effort, caused him a little embarrassment, but he did well."

188. Probably the squib mentioned in Note 175 above.

189. See Note 128, 1858.

190. Re Mrs. Laird, General Kibbe, and Julia Kennedy, see Notes 35 and 76, 1858.

191. The Lecompton or "Bolter" convention met at the Martin House on August 16 under the presidency of S. C. Tompkins. It called itself the "Democratic County Convention" and ignored the majority of the party. Its organ, the *Daily Express*, which had recently switched its allegiance, spoke of its delegates and nominees as "regular democrats,"

probably on the theory that it was the Buchanan faction. On August 18, John R. Ridge, editor of the new *Daily National Democrat*, wrote a long article poking fun at the "Le-comps" under the heading, "Funny times among the Bogusites." Whiteside was a delegate to this convention and was said to have declared that he would follow Buchanan "right or wrong." (*National Democrat*, August 19.)

192. B. R. Spillman, Assemblyman from Yuba County with De Long at the session of 1858, was a delegate to the County Convention of July 26-27 from Strawberry Valley. (*Daily Express*, July 27.) See entry for January 30, where a loan to Spillman is mentioned. He was also a member of the 1867-68 Assembly from Sutter County. He died at Marysville on October 14, 1888. (*Cal. Blue Book*, 1907, p. 618.)

193. Of the Strawberry Valley meeting, the *Weekly Democrat*, also edited by John R. Ridge, stated that "the speakers were well received, and the words they uttered found hearty responses in the hearts of the Old Line Democracy."

194. Writing from Eagleville, the correspondent of the *Daily National Democrat* states of this meeting: "We have just had a grand good old fashioned Democratic meeting here. Nearly every man in the neighborhood was present. Ned Wheeler, the next State Senator, and Charley De Long, sure for the Assembly, spoke gloriously . . . The meeting was enthusiastic."

195. The *Daily National Democrat* said of this meeting:

"E. D. Wheeler, Jas. S. Slingerland and C. E. De Long, Democratic candidates, addressed the citizens of Young's Hill on Friday evening, August 20th. The meeting was large and enthusiastic. It was presided over by Frank Corey, the proprietor of the Hotel. The popular sovereignty side of the question is triumphant at this place.

"The same gentlemen addressed the people of Willow Creek on Saturday evening, Aug. 21st. The meeting was large and spirited. The Mudsills have a large majority at this point."

196. A full report of the State Fair held at Marysville on August 23-28, inclusive, 1858, is contained in the *Appendix to the Journals of the State Senate* for the 10th Session (1859). It was an ambitious undertaking and great credit appears to have been due the California State Agricultural Society (John C. Fall, of Marysville, President, see Note 100, 1855) for the success of the undertaking. It is said that the Exhibition Hall or Pavilion (see Note 158, 1858) "covered an area of over 19,000 square feet, and was well filled in every part." Stock, agricultural and horticultural products, wines, agricultural and mining implements, works of art, and many other items were among the exhibits.

The first State Fair had been held in San Francisco in 1854, the second at Sacramento, 1855, the third at San Jose, 1856, the fourth at Stockton, 1857, and the one now in question was the fifth. Commencing with the sixth (1859) all succeeding State Fairs have been held in Sacramento.

Commenting on the Marysville Fair, the special correspondent of the *Union* said (Aug. 24) of the Pavilion that it occupied the center of Cortez Square, surrounded by "pretty thick" dust and no trees. The cattle show was held at Napoleon Square a few blocks away. Races and other exercises were held at the race track of C. S. Ellis, two miles north of Marysville. The writer thought little of the Pavilion as an architectural gem, but said that the exhibits served to take one's mind from the ugly rafters above. The exhibits, described at length, varied from apples to gold scales, and inventions such as a washing machine, and a "grease gas" machine for lighting purposes were noted. Nahl's oil painting of the Royal Hawaiian riding party "adorned the north transept." The city was reported to be crowded with visitors from all parts of the State.

197. The "Olympic" and "New National" circuses, Mr. and Mrs. Stark, Christy's Minstrels and The Pennsylvanians all advertised their wares in the *Daily Express* for August 24, 1858.

196a. Probably W. F. Hicks, a printer in the *California Express* office, who had come to California from Arkansas. (Amy's Marysville Directory for 1858.)

198. Christy's Minstrels were very popular at this period. George Christy joined his troupe with that of the "San Francisco Minstrels" (see Note 120, 1858) and among the company's repertoire were "A Night of Difficulties" (burlesque), "A la Musard," "The Disappointed Lovers," "Uncle Tom's Cabin" and "The Barber Shop in an Uproar." (*Union*, Aug. 13, 1858.) During the fall the troupe toured the mining regions, after an extended engagement at the Forrest Theater at Sacramento. On November 24, the *Union* stated that on that evening George H. Coes, one of the company's "most popular members, and an excellent singer and banjo player, will take a benefit."

199. The prizes in the firemen's contest were looked upon by the *Union* correspondent as "out of place for an agricultural society," but he admitted the popularity of the show (August 27). A large crowd assembled at 4th and E streets, to which point the several fire companies marched in martial array, led by a band. The Eurekas of Marysville threw the

water through 100 feet of hose, with one-inch nozzle, 212 feet for first prize. The Warrens, not entered for "First Premium," then threw it 219 feet 8 inches, and won the Second Premium, with their Hunneman engine. They then celebrated their victory "by copious libations, cheers, bumpers and brags."

200. Samuel B. Bell, a native of New York State, first became a lawyer and later (1852) a Presbyterian clergyman, coming to California in 1853 as a representative of the American Home Missionary Society. He was pastor of the Presbyterian Church of Oakland, 1853-56 (*Hutchings' California Magazine*, Vol. II, p. 434); State Senator from Alameda and Santa Clara counties in 1857-58, and Assemblyman from Alameda County in 1862. He was a noted "orator," and it was he who secured the charter for the University of California. He is not to be confused with Samuel Bell, Assemblyman from Mariposa County and once State Controller. (See Baker, *History of Alameda County*, 1914, Vol. 2, p. 514.) He died at Santa Barbara in 1897. His address, in full, as delivered at Marysville, Aug. 25, 1858, is to be found in the *Appendix to the Journals of the State Senate, 10th Session, 1859*. The main headings of this address were: (1) Without Agriculture there is no Enlightenment; (2) The Farmer is King; (3) No Market, No Farm, No Enlightenment, and (4) The Farmer, and Farming in California, have no Equals. He concluded:

"The mental impetus given by this Association will soon bring about the means whereby the Sacramento, the San Joaquin, the American, the Feather, and the Yuba Rivers, will be turned from their courses to water these mighty plains like a garden of herbs, and the glories of the Nile and the Mississippi will pass away like a tale that is told. . . . Your Society, and such is yours, under a merciful Providence, will save mankind from these [famine] and all kindred woes."

The Report of the Fair (*ibid.*) states of this address, "It was rich in thought, happy in illustration, and delivered with a degree of eloquence rarely equalled."

200a. H. V. ("Harry") Berry came to California from Dubuque, Iowa, with his parents in 1849. His father, John V. Berry, was a lawyer in Marysville and a friend of Stephen J. Field. "Harry" worked for a while as a bank clerk in Downieville, but later removed to San Francisco, where he was for many years associated with the firm of Le Count Brothers, stationers. He spent the latter part of his life in Smartsville.

201. The *Union's* correspondent found the races "stupid," and declared that those who attended felt that they "had parted with their dollars for a very slight equivalent." He added that this charge was of a kind with the others which both the Agricultural Society and the public had to endure. An agreement for certain fixed charges by landlords was declared broken by many, the writer adding: "Your correspondent parted with his landlord the second day after arrival, and found excellent board, but rather cramped accommodations, in the private boarding house of Mrs. Baker, opposite the Spring House. This lady has given up even her own rooms to her guests, and if they have been charged no more unreasonably than your correspondent, they will have no reason to complain." The Haun House was singled out for particularly biting remarks. (*Union*, Aug. 27.)

202. Edward Snowwhite (or Snowwhite), a baker of Marysville, got into a fight with one D. Sands, a "confectioner" of Sacramento, who stabbed him after being himself severely beaten and bruised. Sands was held for manslaughter (see *Daily Express*, Sept. 6, 8 and 9) but was acquitted. (See entry for Nov. 18.)

203. It is fundamental that an attorney may not undertake to represent conflicting interests in any given matter, and since this rule applies as well to partnerships of lawyers, De Long was forced to withdraw in this instance, because his partner had accepted employment on the opposite side.

204. Of this meeting a correspondent declared in the paper for September 1, 1858:

"Charly [sic] De Long, 'the young man eloquent,' addressed a crowd of not less than one hundred men . . . on Monday night. We are told by one who was present, that never was there more enthusiasm manifested on any occasion. The Douglas Democracy are undoubtedly in the ascendant at Sucker Flat, as the result of this day's election will certainly show."

205. Lander's Bar was on the south side of the Yuba River at the confluence of Deer Creek. The first mining on this spot was done in 1850, and the bar was extremely rich, though small. (T. & W., *Yuba County*, p. 84.)

206. William H. Hill represented Nevada County in the Assembly in 1858 and in 1874. (*Cal. Blue Book*, 1907.) Another and more prominent Mr. Hill (C. Wilson Hill) was elected Judge at the September 1 election. (*Nevada Democrat*, Sept. 5, 1858.)

207. Rose's Bar, named after one John Rose, was situated on the south side of the Yuba River, some twenty miles above Marysville, and just above the point where the river leaves its cañon and debouches upon the plain. This bar was worked as early as 1849 and proved very rich, being one of the first points where an attempt was made to turn the river and work its bed. The first attempt, having commenced too late in the season, was a failure, but subsequently the operation was performed and large amounts of gold were

recovered. As late as 1857 operations on this bar still paid well, but in 1858 the site was largely deserted. Rose and Reynolds were pioneer merchants at this point. (Amy's Marysville Directory, 1858.) The Masonic Hall erected early in the fifties at Rose's Bar was later moved to Smartville, where it still stands and is in active use by the local Masonic Lodge.

208. The *Daily National Democrat* said of this meeting, on September 3:

"*Vigorous Campaigning.*—Our eloquent young friend, Charley De Long, did some of the tallest electioneering on Tuesday last that we ever heard of. He spoke at Lander's Bar, at noon; addressed the citizens of Rose's Bar in the afternoon, and held forth at Timbuctoo from 8 o'clock in the evening till 12 o'clock at night. The people of Timbuctoo wouldn't let him sit down, but insisted on his talking, so Charley just let his tongue loose for four hours on a dead stretch, and if there was any Lecompton speech after that, during that night, no one testifies to having heard it, although we believe a Lecompton orator was present, charged with a whaling speech on the right of Unionites to govern. Whether it was owing to Charley's speech or not we can't say, but Timbuctoo gave the Mudsills a majority of about 70."

209. The election was very close, and—as noted by De Long in his journal—the result was not known for more than a week after the polls had closed. The returns from the mountain precincts turned the tide backward and forward, and on one day the *Express* was crowing over the election of the "Lecomptonites" while the *National Democrat* the next day declared its "Anti-Lecompton" candidates sure winners. Not until the votes were finally canvassed was the result certain, and even then the *Express* figured that there must have been some mistake, but on September 10 it admitted De Long's election, saying:

"Mr. De Long was a man of mark, and one of the most prominent debaters in the Assembly. Indeed, aside from his erratic partizan course, his most noticeable defect as a legislator was his excessive penchant for debate. Being a young man of superior talents, and ambitious withal, age and experience will doubtless correct this defect, and ere long give him the weight and force often attained by men intellectually his inferiors, by the exercise of discretion and a suppressed desire for prominence."

210. David Belden's card as an Attorney and Counsellor at Law at Nevada City appears in Bean's *History and Directory of Nevada County*, p. 168. He was County Judge (as a Democrat) 1859-63 (*ibid.* pp. 37-38), and in 1865 was made State Senator (for the Union party). He was Judge of the 20th Judicial District, 1872-80, and Superior Judge of Santa Clara County, 1880-88. He died at San Jose in 1888. (*Cal. Blue Book*, 1907, p. 540.) Judge Belden was a very prominent man in California for many years. He came to this State in 1853 and "read law" at Marysville for two years before going to Nevada City. (See sketch in *Santa Clara County History*, 1888, pp. 84-86.)

211. On the map of Rose Bar Township contained in T. & W., *Yuba County*, there appear the names of W. B. Vineyard (320 acres), J. T. Vineyard (220 acres), J. R. Vineyard (160 acres), and William B. Vineyard (320 acres) as large landowners near the center of the township, south of the Yuba and at the edge of the foothills, some eighteen or twenty miles east of Marysville. A William B. Vineyard, son of the above William B. Vineyard and nephew of Colonel James R. Vineyard, still lives in this vicinity.

212. The Marysville *Daily National Democrat* on this date proposed De Long for Speaker of the next Assembly, saying:

"*The Next Speaker.*—The Lecompton papers are proposing candidates for the next Speakership of the Assembly. Now, we have a name to propose, as honorable as any that have been mentioned—the name of a rising star in the political firmament—the name of a good, sound Douglas Democrat—the name of the 'young man eloquent' of Yuba County, C. E. De Long. We do not expect him to be elected, because the majority of the next Legislature is to be, as it seems, Lecompton, but we do expect that Charley will receive the complimentary vote of every Douglas Democrat in the Assembly, be they few or many. But, whether he do or not, we are well convinced of this one thing, that he, who has been termed, in derision by his enemies, and in earnest by his friends, the "Little Giant of Yuba," will be found, when ever the occasion requires it, where he was in the Legislature of 1858, fighting, like a true warrior, for the principles of the Cincinnati Platform and the banner of the true Democracy.

Of this proposal the *Butte Record* said on Sept. 18, 1858: "We are opposed to the nomination, believing in the doctrine of rotation in office, and if the *Union's* reports are correct, De Long was the principal *Speaker* in the last Legislature."

213. State Senator William I. Ferguson died in San Francisco on September 14 of wounds received on August 21, 1858, in his celebrated duel with General George Pen Johnston. Ferguson, a Pennsylvanian by birth, studied law in the offices of Col. E. D. Baker and Judge S. T. Logan at Springfield, Illinois. He was early noted as an eloquent and

forceful speaker, and soon after obtaining his certificate to practice law he was elected City Attorney. Lincoln's law partner, W. H. Herndon, wrote in 1869 that Ferguson came to be the leading criminal lawyer in Springfield. He was, however, defeated for the Legislature in 1850, and two years later went to Texas, and the next year to California, where he settled in Sacramento and developed a large and important legal practice. He had an insatiable political ambition, and in 1855 ran successfully for the State Senate as a Know Nothing. During his term, however, Ferguson renounced that party, and was welcomed back into the Democratic fold with great enthusiasm, being elected to the senatorship in 1857. He boldly espoused the Anti-Lecompton stand of Senators Douglas and Broderick, and his speech on this subject near the close of the legislative session of 1858 was perhaps his most finished forensic effort.

In August, 1858, Ferguson went to San Francisco and became involved in a personal and political dispute with General Johnston, the result being a duel on Angel Island in San Francisco Bay on the 21st, the weapons being pistols. At the fourth fire Ferguson was wounded in the right thigh and Johnston in the left wrist. Ferguson's wound was from the first regarded as serious, but he refused to allow an amputation to be performed until his condition rendered such action absolutely necessary. Before the operation was complete, however, he died. The newspapers report the gloom which was cast over the city of Sacramento at the news of his decease. Elaborate funeral processions were held both there and at San Francisco. He was buried in the State plot of the Sacramento City Cemetery on September 16, Col. Edward D. Baker having delivered one of his greatest orations over the youthful senator's body in the Assembly Chamber. This oration is printed in full, together with the discourse of Rev. J. A. Benton on the same subject, in Shuck's *Representative Men of the Pacific*, San Francisco, Bacon & Co., 1870, pp. 327-39. (See also Shuck, *History of the Bench and Bar*, San Francisco, 1889, pp. 374-76; *Alla*, Sept. 15, 16, and 22, 1858; *Union*, Sept. 15, 16, and 17, 1858, and *Eloquence of the Far West* (Colonel Baker's orations) San Francisco, 1899.)

General Johnston was arrested in Marin County in October, 1858, but was there acquitted. He was again arrested on November 10, this time in San Francisco, giving bail of \$10,000 on the grand jury indictment for felony there. On December 17 he was discharged on the ground that he had already been tried and acquitted in the Marin County case. Meanwhile Joseph McKibben had attempted to challenge him to another duel, but had failed to reach him and left for the East telling Johnston to "keep in practice." (See newspapers of the period.)

214. On September 16, 1858, the Sacramento *Union* issued an "Extra" edition consisting of a single sheet. The chief news was of the arrival of the Steamer *Sonora* at San Francisco with "advices from New York and New Orleans to August 20th." Among the items of interest are:

"The grand event of the age is consummated; the success of the Atlantic Telegraph [Cyrus W. Field's cable] is no longer a doubt, but a positive certainty. The Queen's message has passed over the wires, and President Buchanan's reply has been safely transmitted to England." [This was followed by a long account of the opening of the cable for messages.]

"Kansas has vetoed the Lecompton constitution by about 10,000 majority. A call had [sic] been issued for another Constitutional convention."

"Lieutenant Beale's expedition to construct a wagon road from Fort Smith to the Colorado, authorized under the recent Act of Congress is organized. He will use camels."

215. One J. B. Giles, from Missouri, is listed in Amy's Marysville Directory for 1858-59 as a teamster.

216. James Reid De Long, brother of Charles E. De Long. (See Note 29, 1854.)

217. See Note 163.

218. For data respecting the comet of this period see Note 70, 1857.

218a. Grandfather of the present County Treasurer, Harvey D. Eich. (Stanwood.)

219. In writing thus of his efforts to persuade a witness to leave the county during the sitting of the grand jury De Long was nothing if not frank.

220. On June 9, 1858, the *Union* reported that "The Alleghenians having returned to California after an absence of five years, would respectfully announce to their old friends and the public generally, that they will have the honor of giving their first concert at the Forrest theater . . . on which occasion they will introduce a choice selection of their most popular songs." The *Butte Record* at Oroville, on September 18, listed "Miss Carrie Hiffert, soprano, W. H. Oakley, alto, F. Stoepel, tenor, and J. M. Bonlard, basso" as the members of this troupe, and on September 25 the same journal stated that "This favorite band of music makers entertained a large audience at our theater last Wednesday evening. The

singing of Miss Hiffert, who, by the way is a very charming lady, was the bright feature of the evening. A great musical treat." The *Express* reported on September 24 that "These children of song and melody appeared before a large audience at our Theatre last evening. Of all the entertainments with which we have been favored, this was one of the highest order." Their advertisement stated: "With the olden songs of dear delight we come to the friends we have met before."

221. Timothy Dame was listed in Amy's Marysville Directory for 1858-59 as the attorney for the San Francisco and Marysville Railroad Company, with offices at 107 D Street. He came to California from Indiana, and is reported to have removed to San Jose in 1861. (T. & W., *Yuba County*, p. 49.)

222. A half-page of the *Daily National Democrat* for September 29 is devoted to this grand Atlantic Cable celebration, and a full account is contained in the *Sacramento Union* for September 30. It appears that all business was suspended for the occasion. At noon the procession formed under Capt. M. D. Dobbins, marshal of the day, and his aides, with the Mayor and Common Council, City Marshal, Orator and Reader, Justice of the Supreme Court, Judge of the District Court, Fire Department, Liederkrantz Society, Choral Harmonic Association, Turn Verein Society, Hebrew Benevolent Society, Hibernians, clergy, delegations of the nations, expressmen, draymen, watermen, Masons, Odd Fellows, etc., preceded by the Marysville Brass Band. After marching about for a time, all halted to watch the firemen's display. The Chinese delegation did not like the place assigned them and withdrew. Salutes were fired, and bells rung. At the Pavilion "a vast concourse" gathered, "a large number of ladies favoring the occasion with their presence." There were songs, prayers, a poem by John R. Ridge, and an oration "replete with sentiment and research" by E. D. Wheeler, Senator-elect, treating of the rise and progress of science. "Stephen J. Field, . . . being loudly called for, came forward and asked to be excused from making any remarks, as his heart was too full for the tongue to give utterance." A telegraph instrument on the platform was used to send and receive messages from many outlying points. The company then dispersed "with shouts and rejoicing." The city was brilliantly illuminated in the evening, "presenting a scene of grandeur never before witnessed in this region." A torchlight procession, with many "transparencies," led up to the ball, which concluded the celebration. Among the messages received were:

From Shasta: "Glorious age! From day to day the mighty forces that have been sleeping in inanimate nature are being called forth and made servants of civilization."

From Red Bluff: "Lightning is not too fast between Europe and America, while camels will do between New York and San Francisco. We rejoice at the success of the lightning, but hope the camels may yet increase their speed."

From Yreka: "The world is nearly spider webbed with the iron thread, and Uncle Sam, the great tarantula, may he, as now, ever occupy the center."

From San Francisco: "Your message has been received and read with great applause, by Colonel Baker, who is addressing an immense assemblage of people. We greet you."

W. K. Hudson, proprietor of the Union Lumber Co., resided at the northwest corner of Sixth and C streets, at the northwest corner of Cortez Square, in which the fireworks were displayed. The house still stands and is now the residence of Mr. Arthur J. De Lorimier. (Stanwood.) See reference to Hudson in entry for August 5, 1858.

223. In the comedy of *The Actress by Daylight*, which was written expressly for her, Mrs. Wood took the part of "Ann Bracegirdle." The *Union* for September 25, 1858, declared that the play was one in which she appeared to the greatest advantage and "certain it is that she displays in it remarkable histrionic powers."

224. *An Unequal Match, a comedy in three acts*, by Tom Taylor, was first produced in 1857, and was published in London by Samuel French in his *Acting Edition of Plays*.

225. "The Gem Saloon" was on D Street, nearly opposite the theater and next door to the Alta Express Office. During 1858, the Marysville *Daily News* contained the following advertisement (which ran, unchanged, for several months):

"This saloon will be opened to day, Feb. 6th., under the superintendence of F. W. Getzler. It is furnished with two entirely new Billiard Tables, and the Bar is stocked with the very best Liquors in the country. From Mr. Getzler's long experience in the trade, he is competent to judge of the quality, and can furnish a superior quality at a low price. Liquors—12½ cts. Billiards—25 cts."

226. De Long was not entirely certain of the "old folks" in respect to his match with Elida until 1859, when a definite engagement was satisfactorily approved all around.

227. Vol. 6 of *Reports of Cases Determined in the Court of the State of California* (cited as "6 Cal."), reported by H. Toler Booraem, includes cases determined by that court in the January, April, July and October terms, 1855. It was published and copyrighted in 1858, and contains a number of the leading early decisions of the State's highest court, which then consisted of Hugh C. Murray, Chief Justice, and Solomon Heydenfeldt and David S. Terry, Associate Justices.

228. The term "Mexico" as used here presumably refers to that portion of Marysville largely inhabited by Mexicans. In Los Angeles this region was formerly known as "Sonora town." This part of early California towns was frequently the locale of the more disreputable element of the community. In early Marysville it was in the neighborhood of Second and B streets, and should not be confused with the present Mexican quarter in the northwesterly portion of the city, commonly referred to as "Tia Juana."

229. At this election P. J. Welsh was reelected Chief Engineer, H. W. Coolidge, First Assistant, and Charles Andrews Second Assistant, and "after the announcement of the result there was a most hilarious and pleasant reunion of the [Fire] Department, at which speeches were made, toasts drunk, wit and champagne bottles popped off, songs sung, and a general good time enjoyed." (*Daily Express*, Oct. 5, 1858.)

230. Associate Justices of the Court of Sessions, as mentioned in Note 155, were elected at the call of the County Judge by and from among the several Justices of the Peace of the county.

231. De Long was always inclined to a bit of superstition. His phrenological and spiritualistic experiments are instances of this slant of his mind. The thought that "something is up" because of the appearance of the great black cloud reflects the influence of the Iliad, with its many omens, which he was then reading.

232. The Seventh Volume of California Supreme Court Reports (cited as "7 Cal.") was published by H. T. Booraem, the Reporter, in 1858, and includes cases determined during the January and April terms of 1857, the Court then consisting of Hugh C. Murray, Chief Justice, and Solomon Heydenfeldt and David S. Terry, Associate Justices. Heydenfeldt died on September 18, 1857, and Peter H. Burnett took his place. Terry succeeded Murray as Chief Justice after the latter's resignation on January 6, 1857, and Field was appointed during the October term.

The Ninth Volume of California Supreme Court Reports (cited as "9 Cal.") was published by Harvey Lee, the Reporter, in 1858, and includes cases determined during the January and April terms of that year, the Court then consisting of David S. Terry, Chief Justice, and Peter H. Burnett and Stephen J. Field, Associate Justices.

Lee (see Note 5, 1858) died on August 19, 1866, from an accident which occurred when, against the advice of his friends, he raced his horses around the Sacramento Track at an inordinate rate of speed and was thrown out while attempting to turn them too sharply. After being Supreme Court Reporter he was Lieutenant Colonel of the 4th California Volunteers during the Civil War and in the fall of 1865 was appointed by Governor Low as Judge of the 16th Judicial District (Alpine, Mono, Inyo and Kern counties). He had not yet entered upon his new duties, but was boarding with his wife and four children at the Golden Eagle Hotel preparatory to starting for his new location. It was reported (*Union*, Aug. 20, 1866) that he had from time to time suffered from periods of acute excitement, bordering on mental aberration, and it was thought that this was the cause of his strange conduct on the day of his death. (See *Alta*, Aug. 23, 1866, for tributes by J. W. Coffroth, N. Greene Curtis, etc., before the Bar Association.)

233. This (without De Long's apostrophe) was the common spelling of Los Angeles during the fifties. It is of interest that this is the first mention of the "Queen of the Cow Counties" in this Journal.

234. "An Act to Regulate Proceedings in Civil Cases in the Courts of Justice in this State," known as "The California Practice Act," was passed April 29, 1851, and amended in 1854, 1855, 1857, and 1858. It declared the fundamental rules of procedure, and was the forerunner of the present "Code of Civil Procedure." It is said that Stephen J. Field was the author of the California Practice Act, an annotated edition of which (together with certain related statutes) was published by Henry J. Labatt, a San Francisco attorney, in 1856. The second edition of this volume, published in 1858, is no doubt the "New Practice Act" which De Long purchased.

235. Wells, Fargo & Co's Express was at this period the most important agency for both express and mail service throughout California and particularly in the mining regions. It commenced its business in the State in 1852, and by a prodigious effort weathered the financial storm of 1855 in which the Adams Express Company went under. By 1858, Wells, Fargo went everywhere, did almost anything for anybody, and was the nearest thing to a universal service company ever invented. Next to the whiskey counter and the gambling table, Wells, Fargo's office was the first thing established in every new camp or diggin's.

236. The Eighth Volume of California Supreme Court Reports (cited as "8 Cal.") was published in 1858 by H. T. Booraem, Reporter, and includes cases determined during the July and October terms, 1857. Former Chief Justice Murray died during this session, and the Proceedings of the Court in connection with his death, held on October 5, 1857, are included in this volume.

237. Gabriel N. Swezy (the correct spelling) was a well-known early Marysville lawyer and partner of Richard S. Mesick. (See Notes 87, 1855, and 86a, 1856; also entries for

Oct. 21 and 22, 1858.) Swezy was a large landowner, and Swezy Street in Marysville perpetuates his name. His son was the late Charles E. Swezy, who was an attorney in the United States land offices in Marysville and Sacramento; and his daughter was the late Mrs. E. Amelia Coult (widow of Col. Theodore A. Coult), whose daughter, Mrs. Marguerite Johnson, and grandchildren, Whitney and Amelia Johnson, now live in New York. Dr. Charles E. Swezy of Winnemucca, Nevada, and Ray D. Swezy of Berkeley, are sons of Charles E. Swezy; and a grandson (the son of his daughter, Mrs. Lillian A. Crumb) lives in Florida.

237a. Probably "Mike" Casad, later City Marshal of Marysville. (Stanwood.)

238. The interest of Californians in Sonora never slackened during the fifties. The filibustering expeditions of William Walker to Lower California and Sonora, his expeditions to Nicaragua, Count Gaston de Raousset Boulbon's expeditions to Sonora and Crabb's ill-fated foray against it had conspired to keep this interest at a fever heat. There can be little question but that there was a general expectation during most of this period that the northern States of Mexico would at some time become either a part of the United States, or an independent republic. (See also entries for November 21 and 22.) The Civil War put an end to these proposals, and De Long never entered the promised land of Sonora.

239. The *National Democrat* for October 22 said of this "gift concert" at which "Madame Aveloss the celebrated opera singer and Signor Bona, violinist, and Mr. F. Gram-boss, pianist," had been advertised to appear: "This affair came off, last night at the theatre, according to programme, and was brilliantly attended. The performances were of a very superior quality."

239a. Judge Charles E. Filkins was a well-known early jurist. He died at Marysville in the 70's, but his daughter, Mrs. William B. Tubbs, of San Francisco and San Mateo, is still living. Another daughter was the wife of A. C. Bingham, for many years Cashier of the Decker-Jewett Bank at Marysville. (Stanwood.)

Riley Lane was a farmer and hotel keeper. His hotel, some eight miles from Marysville on the Smartsville road, stood until comparatively recent years. (Stanwood.)

240. De Long was not only politically ambitious, but appears to have been quite earnest in his effort to improve himself and his mind. His development from an ignorant boy in the diggings to the polished man of the world who served his country at the Court of the Mikado discloses the result of the efforts which he thus made. That he should at this period demand the appearance of an "Andromache" is enlightening.

241. Joseph C. McKibben, a Pennsylvanian, came to California in 1849, and in 1852 and 1853 was State Senator from Yuba County. He became a leader in the Democratic party, and served as one of California's two Congressmen in the Thirty-fifth Congress (1857-58). He sided with Senators Broderick and Douglas against Buchanan and was defeated for reelection by Charles L. Scott, the "Lecompton" candidate, at the election of 1858. McKibben died at Washington, D. C., July 1, 1896. (See Davis, *Political Conventions*, p. 640; Poore's *Political Register and Congressional Directory*, Boston, 1878, p. 515; also O'Meara, *Broderick & Gwin*, and *Placer Herald*, Auburn, Oct. 18, 1856.)

241a. Dr. Jacob B. Warfield is mentioned frequently by De Long during 1861 and 1862. He was listed in the San Francisco Directory for 1861-62 as a physician, with offices at 305 Montgomery Street. In 1864 his residence is given as 604 Dupont Street. In 1866 he is stated to have offices at 402 Montgomery Street and to reside in Alameda.

242. Amy's Marysville Directory for 1858 states that the United States Hotel was then the only four story brick building in the city.

243. "Mary of the Wild Moor" was a ballad which appeared about 1845, when Joseph W. Turner combined some very old words with some old and plaintive ballad music and adapted the result to the piano. The "poetry"—if it can be thus dignified—relates the sad fate of Mary, who, on being deserted by her lover, returns to her father's cot across the wild moor, and, finding no welcome, perishes with her child in the storm. The heartless father then himself perishes of grief, and the cot goes to ruin. It is all very melancholy.

"Thou Hast Learned to Love Another" was a pathetic sort of ballad, ending:

"O, would I ne'er had met thee.
Fain, fain would I forget thee.
'Tis folly to regret thee."

244. The Frazer River excitement did not last long. Many of the adventurers returned as soon as they could find transportation, although the bars of the Frazer were crowded with California miners through the long winter of 1858-59. (See Note 129, 1858.)

245. Re Lindley, Magruder and Montgomery see Notes 123, 131, 20 and 139, 1858.

246. "Up from Court," i.e., the session of the State Supreme Court in Sacramento.

247. The "Warren Engine Company" was organized on January 8, 1857, and was admitted to the Fire Department the following July, Harry Leland being Foreman, with J. W. Curtis, First Assistant, and B. F. Hollis, Second Assistant. This organization used a "Hahnneman Tub No. 2" hand engine, which was kept at its engine house on Third Street,

between E and High streets. At one time this company had a membership of 116. (T. & W., *Yuba County*, pp. 64-65. See also Note 199 and entry for August 25, 1858.)

248. A Justice of the Peace in an adjoining county.

249. The Recorder's Court corresponded to our present-day Police Court. It dealt with many forms of petty misdemeanors, and also took care of the preliminary examination of persons charged with more serious crimes, the "Recorders" acting in this instance as committing magistrates.

250. See Note 222, 1858.

251. James P. Beckwourth, a mulatto from Virginia, became one of the most notorious of early day characters. He is said to have come first to California in 1844, and to have been one of the mountaineers serving under Governor Micheltorena at the "Battle of Cahuenga" the next year. Prior to this time he had — according to his own account — been Chief of the Crow Nation, and many are the thrilling exploits which he relates in his book, *The Life and Adventures of James P. Beckwourth, Mountaineer, Scout and Pioneer, and Chief of the Crow Indians*, which he dictated to T. D. Bonner, and which was published in London and New York in 1856 and 1858. Leaving California with a drove of stolen horses before 1846, he continued his wild life in New Mexico and on the Plains, returning in 1848, and discovering the pass which bears his name. In 1852 he established a trading post in Beckwourth Valley, and the California poetess, Ina Coolbrith, is said, as a young girl, to have been carried over the pass on "Chief Jim's" stalwart back. He could not stand a sedentary life, however, and in 1859 was found in a cabin at "Mexican Diggings" near where the city of Denver now stands. Here he married a young negress, whom he called "Lady Beckwourth," but they had a falling out and Jim went back to the Crows. He died in 1867, at the age of 70, said to have been poisoned by these very Indians because he threatened again to leave them. He had been "good medicine" to them, and they would rather have him with them dead than living and away. (See *Pioneer Register*, Bancroft, *Hist. of Cal.*, Vol. II, 713-14; *Santa Fe Magazine*, April, 1913.)

252. For a beginner at the bar De Long appears to have developed a fairly good practice from the start. Although most of his early practice was of a criminal character, he was called a lawyer of the vested (i.e. the property holding) interests by his opponents during the legislative session of 1859, and in his later practice in Nevada he acquired great fame as a trial lawyer in a series of very important mining law suits. Toward the end of his brief career he was looked upon as one of the leading attorneys of the West in this type of litigation.

253. J. A. Clarke was admitted to the bar in 1855 and was Assemblyman from Sierra County in 1858. (*Cal. Blue Book*, 1907, p. 576; F. & S., *History of Plumas, Lassen and Sierra Counties*, 1882.)

254. Forest City was a thriving mining community situated at the forks of Oregon Creek some seven miles south of Downieville and four miles from the once celebrated "Mountain House." The camp was at first (1852) known as Brownsville, and later as Elizaville, but in 1854 a meeting was held and by popular vote the spot took the name which has clung to it for three quarters of a century. The ancient gravels of the celebrated "Blue Lead" were exceedingly rich in this section, and among the better known of the earliest claims were the "Live Yankee," the "Can't Get Away," the "Free and Easy," the "Buckeye" and the "Jenny Lind," some of which entered the mountain from across the ridge where the thriving town of Alleghany shortly rose to rival Forest City. Until 1860 all goods and commodities reached this region by pack train only, but in that year a road was completed to Mountain House, and later the Henness Pass road over the Sierra Nevada was constructed through Forest City. (F. & S., *History of Plumas, Lassen and Sierra Counties*, pp. 473-75. See also *Sacramento, Pictorial Union*, Jan. 1, 1856, for a view and description of Forest City, and *Quarterly* of the Society of California Pioneers, Vol. VI, No. 4.)

255. See Note 172.

256. By the middle of the summer of 1849, a busy crowd of miners was at work in the ravine then known as "Woods Dry Diggings," which had been discovered in 1848 ("First of the Northern Mines") and which during the next winter came to be known as "Auburn." By the spring of 1850 the place had acquired a considerable importance, and was the trading center for a rich and populous mining region. In 1851 the town was made the county seat of the newly created County of Placer. The local "diggings" were rich but superficial, and within a decade the production of gold at the town itself had virtually ceased, though new discoveries in the environs lent it a certain importance for a considerable period. The coming of the railroad, and the development of horticulture in the rich foothill country have combined to give to Auburn a continued importance. It is still the county seat of Placer County. (See *Directory of Placer County*, 1861.)

257. The only Hawkins listed in the Placer County Directory for 1861 is Hiram R. Hawkins, druggist, with offices at the corner of the "Centre Block."

257a. Nothing is known of this incident of De Long's early career.

258. The American Hotel, on Main Street, Auburn, was founded by Leighton and Howard, the latter shortly giving way to one Guiou, who was also one of the proprietors of the local livery stable. In the Placer County Directory for 1861, the advertisement of this hostelry occupies the rear cover and states that the American is also the office of the California Stage Company, adding: "The Bar always furnished with the best LIQUORS and CIGARS, and the BEDS neatly kept."

259. Charles Albion Tuttle represented Placer County, as a Democratic State Senator in the Legislatures of 1854 and 1855. He was Presidential Elector in 1860; Assemblyman in the Seventeenth Session; Reporter of the Supreme Court, 1863-67 and 1871-78, and Code Commissioner, April 4 to July 15, 1872. He died at Auburn, June 24, 1888. (See *Cal. Blue Book*, 1907, p. 562; T. & W., *Placer County*, p. 322-23; Shuck's *Bench and Bar*, 1901, p. 553.) His sons, Charles A. and F. P. Tuttle, practised law at Auburn for many years, and the latter's son, Raglan Tuttle, is now Superior Judge of Nevada County.

260. James E. Hale was State Senator from Placer County, 1864-66, and a member of the Union party. He was Supreme Court Reporter, 1867-70; Presidential Elector, 1872; member of the Constitutional Convention of 1878, and Assemblyman in the 24th Session. He died at Auburn, Sept. 22, 1895. (See *Cal. Blue Book*, 1907; T. & W., *Placer County*, pp. 96, 317; Waldron and Vivian's *Biographical Sketches of the Delegates to the Convention*, 1878, p. 117.)

261. John I. Caldwell, a Nova Scotian by birth, came to Nevada City in September, 1850. He engaged in mining until 1857. He was Justice of the Peace of Eureka Township in 1854 and 1856; member of the Assembly, 1857, 1858 and 1859; was admitted to the bar in 1861 and was District Attorney of Nevada County, 1865-67; Justice of the Peace of Nevada Township, 1868-70; County Judge of Nevada County, 1871-80, and was elected Superior Judge of that county in 1879. He died at Nevada City, Feb. 12, 1906. (T. & W., *Nevada County*, p. 213; *Cal. Blue Book*, 1907, p. 574; *Sacramento Bee*, Feb. 13, 1906.)

262. *Charles the Second, or The Merry Monarch* was a comedy in two acts by John Howard Payne. It was first produced in 1824, and was published in Lacy's *Acting Edition of Plays. Good for Nothing*, a one-act comedy later published under the title, *Nan, the Good for Nothing*, was first performed at the Theatre Royal, Haymarket, on Feb. 4, 1851. It was written by John B. Buckstone.

Of the Robinson family (See Note 73, 1856) the *Weekly Butte Record* (of Oroville) declared on Nov. 20, 1858:

"The performances of this highly popular troupe, at our Theatre during the past ten evenings, have been very successful, more so than those of any theatrical company which has visited Oroville for many months. The reasons for this success are easily divined. Their plays, generally light and amusing in style, are rendered with great vivacity, and characters best suited for the rare talents of Miss Susan, the 'Fairy Star'—as she has aptly been styled—songs in which she best displays the rich melody of her charming voice, and dances in which she appears in sylph-like grace have been uniformly selected for her, in all of which from frequent rehearsals she is—to use a stage phrase—'Dead-letter perfect,' as are indeed, with an occasional exception, the other members of the company. Mr. J. B. Robinson, though sometimes a little extravagant in the rendition of his parts, is an excellent comedian, and succeeds in keeping his audiences in extreme good humor. Mr. Wm. Robinson, Mrs. Clara Robinson, Mr. and Mrs. Hamilton, and Mr. Mortimer are each entitled to credit for their happy assumption of such characters as have been assigned to them. The Robinson family go hence to Marysville, where we believe they will remain for a few nights preparatory to embarking for Australia. They are too well and favorably known at 'Nyes' to need any introductory compliments from us."

"Nye's" was the earlier cognomen of Marysville, Nye's ranch having furnished its site.

263. See Note 238.

264. De Long here refers to the well-known two-volume work entitled *Reports of Cases Decided by the Honourable John Marshall, Late Chief Justice of the United States, in the Circuit Court of the United States for the District of Virginia and North Carolina from 1802 to 1833, Inclusive*, edited by John W. Brockenbrough, Counsellor at Law, and published in Philadelphia by James Kay, Jun. & Brother, and in Pittsburgh by John I. Kay & Co., in the year 1837. This work is usually cited as Brockenbrough's "Marshall's Decisions." All the cases there set forth were later reported in the series of volumes known as the "Federal Reporter."

265. See Notes 221 and 238.

265a. See entry for Dec. 18.

266. Here is an excellent illustration of the softening influence of woman over mere male matter. "Charley" was ever long on resolutions, be they about poker, Lady Nicotine, strong drink, or some other frailty of Nature.

267. Henry Findlay's ranch was near the present town of Wheatland. William Findlay still lives at Lincoln.

268. Judge J. P. Deighan (see Note 123, 1857) died suddenly in Sacramento on November 28, 1858, a post-mortem examination disclosing that death had resulted from "ossification of the aorta." (*Alta*, Dec. 1, 1858.) Deighan came to California from Ohio, and for some years was Secretary of the California Stage Company. (Colville's Sacramento Directory, 1856; *Union*, Nov. 29, 1858.) For a year prior to his death he had served as Under-Sheriff of the county. (Taylor's Sacramento Directory, 1858; *Union*, Nov. 29, 1858.) The funeral was held at Grace Church under the direction of the Rev. Mr. Hill, burial being in the City Cemetery. (*Union*, Nov. 30, 1858.)

269. Grace Protestant Episcopal Church at Sacramento was founded in 1849, the parish being legally incorporated in 1854. William H. Hill, formerly of Nevada City, took over the rectorship in 1856, and continued in that position until the year 1870. The brick church building was erected in 1856, and opened for worship on September 7, 1856. It was used until 1871, when it was torn down and a new building was erected on its site.

270. *Money, a Comedy in Five Acts*, by Edward George Earle Lytton Bulwer Lytton, First Baron, was published in Vol. I of *Modern Standard Drama*. On December 1, 1858, the *Union* contained the following item:

"Forrest Theater: Mr. John Wilson respectfully informs the citizens of Sacramento that he has leased the above popular place of amusement, and will open it for a short season, commencing this (Wednesday) evening, Dec. 1, on which occasion those popular Tragedians, Mr. and Mrs. James Stark, will appear in their great characters of Alfred Evelyn and Clara Douglas, supported by the entire strength of the Lyceum Dramatic Company in Bulwer's beautiful play of *Money*! To conclude with the farce of the Widow's Victim. . . ."

The next day it was reported that "Mr. and Mrs. Stark, with their excellent company, had a crowded house last night at the Forrest, and the play of '*Money*' was represented to the life. All were well up in their parts. Mr. Stark appeared to much advantage, and showed fine histrionic powers."

271. Benjamin Bernard Redding was Assemblyman (Democratic) from Sierra and Yuba Counties in 1853; State Printer, 1854-55; Mayor of Sacramento, 1856; Secretary of State of California, 1863-67; Trustee of the State Library, 1864-66; Fish Commissioner, 1874-82; Regent of the State University, 1880-82; and Trustee of the State Miners' Hospital, 1881-82. He died at San Francisco, August 6, 1882.

272. Stephen A. Douglas won his fight for reelection as United States Senator from Illinois over Abraham Lincoln, the Republican candidate, at the State election of November, 1858, at which the members of the State Legislature (the senatorial electorate) were chosen. It was during the canvass which preceded this election that the famous Lincoln-Douglas Debates attracted the attention of the nation to Abraham Lincoln.

273. General Alfred Redington was born in Maine, Feb. 22, 1802. A merchant in Augusta, he was for a time Adjutant-General of the State, and was for two terms Mayor of Augusta. In 1852 he removed to California, locating in Sacramento. For a number of years he was general agent of the California Steam Navigation Company, and, with his son, was interested in the Lombard Flour Mills at Sacramento. Originally a Democrat, he became a Republican at the outbreak of the Civil War, and was a Presidential Elector for Lincoln in 1864. He died at San Francisco, May 22, 1875. (Sketch in *Union*, May 24, 1875.)

274. This celebration was the occasion of articles in both the *Union* and *Bee* of the next day. It seems that it had been advertised as an outdoor affair in front of the Orleans Hotel. Because of the stormy weather many who otherwise would have attended stayed away, and when it was moved indoors to the Sacramento Theater only a small crowd appeared. The *Union* said:

"The speeches, with one exception, were not adapted to the occasion; they sounded too much like last Summer's campaign speeches, and were not calculated to interest the audience. Those present were there to hear about Douglas and his brilliant campaign and glorious victory in Illinois. They did not want to hear the Lecompton Constitution discussed; they wanted to hear of Douglas, his victory over the Administration and the Republicans, and his prospects for 1860."

The *Bee* reported:

"This meeting was not large, but it was select. . . ."

"B. B. Redding, Chairman of the anti-Lecompton Democratic State Central Committee called the meeting to order. A. Redington was chosen President; J. H. Ralston, J. C. Ledlie, H. L. Nichols, H. Caswell, F. A. Park, John Leavitt, A. R. Jackson, B. B. Stansbury and J. Powell, Vice Presidents, and James Lansing, Secretary. W. H. Weeks, H. Griffith, R. D. Ferguson, H. Starr and B. B. Redding were appointed a committee to draft resolutions. Hons. C. E. De Long, of Yuba, and H. Griffith, of Yolo, made speeches, when the committee returned the following:

"We, the Democracy of the city and county of Sacramento, to the Democracy of the State send greeting, and ask them to rejoice with us in the triumph, in the person of Illinois' noble son, of right and truth over error, fraud and oppression, as sought to be carried out and enforced by our present National Administration. We ask them with us to view from our stand-point that most glorious of our political battle fields, that Salamis of our party warfare, and with us to rejoice that there, one month since, the hosts of the true Democracy, led on by the great and gallant Douglas, triumphed over the mercenary, paid hirelings of a corrupt and corrupting Administration, and the serried columns of our often beaten foes, the Republicans, who in unnatural alliance sought his overthrow; and to you we send these our determinations:

"Resolved, That we hail with joy unutterable the return to the United States Senate of the Hon. Stephen A. Douglas, not only because it is of itself a glorious victory, but as the precursor of the still more brilliant triumph which awaits him in 1860, when the people he has so faithfully and ably served will elevate him to that most honorable of all earth's positions—the Presidency of the United States."

And so on for several ringing paragraphs, which the *Union* properly characterized as "too much on stilts—too much fustian in them and fierce denunciation." It particularly condemned a paragraph which praised that "youthful and brave" Senator, David C. Broderick.

275. The town of Nicolaus is on the east bank of the Feather River, one and a half miles below the mouth of the Bear River. Nicolaus Altgeier, of Baden, settled here as early as 1842. He had been employed for a time as a trapper by the Hudson's Bay Company, and came overland to California in 1839 or 1840, engaging in the service of Captain Sutter at New Helvetia and later at Hock Farm. Sutter deeded him a square mile of land in consideration of the establishment of a residence and a ferry for the transportation of persons and property across the Feather River at the point later known as Nicolaus. The town flourished for a time after the gold rush, but the railroad left it to one side and it has failed to develop. It was for a time the county seat of Sutter County. (See T. & W., *Sutter County*, 1879, pp. 93-94.)

276. The Convent of Notre Dame at Marysville was founded in 1856 by Rev. Father Magognotti, Passionist Missionary and later Vicar General of the Diocese of California. The first building was erected at the southeast corner of 8th and C streets, the Sisters of Notre Dame taking over the building in October of that year and opening a day school, with three members of the order and a lay assistant as the teaching staff. A boarding school was added the next year, and in 1858 a free school for girls was opened. In 1869 the entire block bounded by B, C, 7th and 8th streets was acquired. (T. & W., *Yuba County*, p. 103.) Rev. Slaterry succeeded Father Magognotti as Pastor of the Society. (Amy's Marysville Directory for 1858-59, p. 97.)

277. "The Little Giant" was, of course, Senator Douglas, whose faithful follower our bantam hero was.

278. A reference to De Long's interest in Anna Singer.

279. The Foundry of Stombs, Daggett & Co. was established in 1852 at the corner of 7th and A streets, Marysville. This institution became well known for its successful manufacture of heavy mining machinery, and its products were sent to all parts of the West. It was later known as the "Marysville Foundry." (T. & W., *Yuba County*, p. 70.) At the time here in question the foundry was owned by Messrs. Benham and Booth (Amy's Marysville Directory, 1858-59, pp. xx and 36.)

279a. On November 4, De Long stated that he obtained a verdict from the jury in this case. (See Notes 256-60, incl.) He was evidently now preparing documents in opposition to the motion for a new trial on the part of the defendant.

280. The "Club House" restaurant and saloon was a noted rendezvous, located at 36 D Street, Marysville. (Amy's Marysville Directory, 1858-59, p. 42.) Its proprietor was A. M. Hepburn. On July 1, 1858, he advertised in the *Daily News* that boarders would no longer be taken by the week but all meals would be furnished "to order by the plate," the place keeping open all night. Oysters "by the basket or hundred" were available, and a "hot lunch" was served "every day at 11-12 A.M." On December 10, the *Daily National Democrat* reported that Hepburn "was taken by storm on Wednesday night, by a lot of Douglas men, who had just returned from Madame Peri's Ball at Yuba City, and made his quarters (by a liberal expenditure of their own) a scene of jollification over the news from Illinois. True, the intelligence was a little old, but it was too good to wear out, and they celebrated it with a zest that was truly refreshing . . ."

281. The Marysville "Choral Harmonic Society" gave its first concert on the evening of December 9, 1858, under E. Hamilton, conductor, and Prof. Grambs, pianist. (*Daily National Democrat*, Dec. 9, 1858.) The Society had been organized the preceding February with twenty-three "active male members" and thirteen ladies. The object of the organization

was "the musical culture of its members," and frequent concerts were given during its four-year existence.

282. Not until two years later was a bridge erected over the Yuba at Parks Bar. Colonel Vineyard and Matt Woods constructed the bridge, which went out during high water a year or two later.

283. The "St. Nicholas" was the new name for the hotel formerly known as the "Haun House" at 3d and D streets, Marysville. (See Note 85a, 1857.) On December 15, De Long calls it by its old name, but on the 16th he refers to the change in name.

284. A letter re "Miller's Steam Wagon" appears in the *National Democrat* for Sept. 4, 1858, and on August 25 the *Express* said, "A 'steam wagon' made its appearance on the streets night before last. It was not the steam wagon of Sacramento, but another one. The principal exploits of the new locomotive power was (sic) to draw a crowd about it, and to frighten a horse, which threw and dangerously hurt its rider. This afternoon the wagon will be out again, when it is believed it will prove equal to its inventor's fondest anticipations." The *Daily News* for July 11, 1858, reported that the San Francisco *Call* had declared of the Sacramento monster that "The thing looks as if it might be made to go ahead, but we should judge it an impossibility for it to 'back out' of a scrape if it ever got into one. The inventor must have been a man somewhat after the mould of General Taylor, for he has made no provisions for retreat—he thought of nothing but advancing." (See also Assembly Journal, 1858, pp. 514-15 re "Overton's Steam Wagon," and A. B. 289, same session.)

285. Isaac Sawyer Belcher was born at Stockbridge, Vermont, February 27, 1825, one of his ancestors, Jonathan Belcher, having been one of the early Colonial Governors. Belcher graduated from the University of Vermont in 1846, and in 1849 was admitted to the bar. He came to California in 1853, and went at once to Marysville. He was District Attorney of Yuba County, 1855-57; Judge of the Tenth Judicial District, 1864-70; Justice of the Supreme Court, 1872. He was Vice President of the Constitutional Convention of 1878; Supreme Court Commissioner, 1885-98; Trustee of the State Library, 1882-90, and died in San Francisco, November 30, 1898. (Waldron and Vivian, *Biographical Sketches of the Delegates to the Convention*, 1878; *Cal. Blue Book*, 1907, p. 655; Shuck, *Bench and Bar*, p. 541.) On Aug. 12, 1861, he married Adeline Noble Johnson, of Augusta, Maine, at Augusta, and their son, Richard Belcher, is today one of the leading attorneys of Northern California, with offices in Marysville, where he resides in the house originally erected by John C. Fall in 1854. Another son, William J. Belcher, orchardist, also resides in Marysville.

William Caldwell Belcher was born at Stockbridge, Vermont, in 1821, was also graduated from the University of Vermont and was admitted to the bar in that State. He came to California in 1855, going at once to Marysville, where he formed a partnership with his brother, Isaac S. Belcher, under the firm name of Belcher & Belcher. This partnership continued until 1876, when William went to San Francisco and became a member of the firm of Mastick & Belcher, subsequently Mastick, Belcher & Mastick, and later Mastick, Belcher, Van Fleet & Mastick. Mr. Van Fleet was afterward United States District Judge in San Francisco. Belcher continued to practice law in San Francisco until his death in 1895. During his lifetime he was very prominent in Masonic circles, serving at one time as Grand Master and Grand Commander, and for years thereafter as Chairman of the Judiciary Committee of the Grand Lodge. He never married.

The Belcher here mentioned by De Long was probably I. S., he having been a public official and therefore more likely to be retained by the City in the case in question.

286. The *National Democrat* reported on Dec. 18, 1858, that "Donna Cruse" had been fined \$30 by the Recorder the day before for keeping a "dance house," that she had appealed to a higher court "and is now in jail, pending the appeal." The *Express* on the same day declared that the charge was for keeping "a disreputable House," and added that she had been committed to jail at \$1.00 a day in default of the fine. On the 23d the *Express* contained the following item:

"Donna Cruse, for keeping a dance house, for purposes of lewdness and prostitution, was found guilty by a 'jury of her peers,' and sentenced by the Recorder to pay a fine of \$50 and costs, or to go to jail for fifty days. She paid the fine, and 'vamosed'."

287. Israel C. Willson (the correct spelling) was Assemblyman from Santa Cruz County in 1858, and (as a Union party member) in 1863. He died at Santa Cruz, December 30, 1869. (*Cal. Blue Book*, 1907, p. 627.)

287a. It appears that De Long's sleeping quarters were at this period adjacent to his office, a common custom at this time, not only because of the scarcity of rooms and their high rent, but as a protection against fire and thieves. (Stanwood.)

288. On July 2, 1858, Lindley Williamson had advertised in the *News* that within the last ninety days two hundred head of cattle, "branded with plain letter W on the left hip, swallow fork in the left ear, and under the crop in the right" had been stolen from him,

and that he would pay a reward of \$1000 for their recovery, or information leading to the recovery of all, "or any portion thereof pro ratio," and \$200 more for the capture and conviction of the thieves. The tables now appear to have been turned on Lindley.

289. We cannot be certain whether, during Elida Vineyard's long absence, De Long became sufficiently interested in Anna Singer to ask her to become his wife. Certain it is that he came to think very highly of her, and it may be that a realization that she would not accept him led to this "brotherly arrangement" with her younger sister. The many entries respecting them during the period from 1858 to 1862 show clearly how deeply he was impressed by these charming girls.

290. The message of President James A. Buchanan to the Senate and House of Representatives dated December 6, 1858, was published in the *Union* for December 27, occupying eight columns of very small type. It was brought from St. Louis by the Southern Overland Mail to Los Angeles and by "horse express" from there to San Francisco, where it arrived but nineteen days and fifteen hours after leaving St. Louis. It was then transmitted by telegraph to Sacramento in nine and a quarter hours, being at that time the longest document ever transmitted by telegraph in California. The *Union* stated that earlier Presidential messages had been published as follows:

Fillmore's Message of Dec. 1, 1851, published Jan. 12, 1852 (not in full).

Fillmore's Message of Dec. 6, 1852, published Jan. 8, 1853.

Pierce's Message of Dec. 5, 1853, published Jan. 13, 1854 (the first to be received by telegraph).

Pierce's Message of Dec. 4, 1854, published Jan. 1, 1855.

Pierce's Message of Dec. 31, 1855, published Feb. 1, 1856.

Pierce's Message of Dec. 2, 1856, published Jan. 1, 1857.

Buchanan's Message of Dec. 8, 1857, published Dec. 31, 1857.

291. The "Third Grand Annual Entertainment and Ball" of the Marysville Liederkranz, under Professor F. Grambs, musical director, was held on Dec. 29, 1858, the *National Democrat* remarking the next day that "A large, brilliant and fashionable audience assembled, last evening, at the City Hall, to enjoy the grand musical entertainment . . . The music was of high order, and every body present was delighted."

291. James Blair, son of the celebrated politician, F. P. Blair, and formerly of the Navy, came to California in 1849, and became one of the proprietors of the Pioneer Line of steamers between San Francisco and Sacramento, later becoming interested as one of the principal owners in the San Francisco-Stockton steamer line. He died in San Francisco, December 15, 1853. (*Alta*, Dec. 16, 1853.) Shortly thereafter the California Steam Navigation Company gave his name to one of its new light-draft steamers, built expressly for the river traffic and drawing but twelve to fourteen inches of water. (T. & W., *Sacramento County*, p. 164; *Sacramento Directory*, 1861, p. 164.)

293. In the *Sacramento Directories* for 1858, '59 and '60, this boarding house is listed under "Torrey, Mrs. Mary A., . . . 3d St., bet. L. & M." In the 1861-62 *Directory* it is listed as "Torrey, Mrs. M. A., Casco House, 119 3d St." Mrs. Torrey's house was very popular, and many distinguished people stopped there. It was the residence of Edwin Booth during one of his engagements in Sacramento.

294. See Note 261.

295. The *Union* for Dec. 31, 1858, reported that "the members of the Knickerbocker Engine Co. No. 5, were busily engaged yesterday at the National Theater, in preparing the house for the Ball which will be given there this evening. To insure a safe and pleasant transit to patrons to the supper room in the St. George, a crossing has been constructed on the alley in the rear of the theater, which is adjacent to the hotel. The fete, will no doubt, be largely and fashionably attended." This was the Second Annual New Year's Ball of this organization, and "tickets, including carriages" were advertised (*Union*, Dec. 31) at \$5.00. On the Committee of Arrangements, among many others, were Hon. J. B. Weller, Hon. Ferris Forman, Hon. D. S. Terry, Hon. S. J. Field, Hon. Thos. Findlay, Hon. A. R. Melony, Hon. Milton S. Latham, Chas. S. Fairfax, Gen. A. Redington, N. Greene Curtis, Jos. H. Virgo, and Edward F. Boyle.

Not to be outdone, Mr. N. Namur, proprietor of the saloon at 53 J Street, "Latham's Building," advertised that "For the convenience of parties attending the New Year's Eve Ball, I intend to keep my saloon open all night, prepared with refreshments of every description."

The *Bee* reported on Jan. 3, 1859, that the Ball had been "a remarkably pleasant party, although it was not as largely attended as we expected it would be. The theatre was brilliantly illuminated and tastefully decorated, good music was furnished, and a splendid supper was spread in the St. George by mine host "the General" with which all were satisfied who partook."

THE SOURCE OF THE SUTTER MYTH

A few years ago the French writer, Blaise Cendrars, published, under the title *L'Or — La Merveilleuse Histoire du Général Johan August Suter*, a book about the great pioneer of California.¹ Even those who had only a slight knowledge of the history of California recognized in this "biography" inexcusable perversions of historical facts. Yet the book was not only at once translated into English and German, but also gave rise to a number of literary productions of which the hero was John August Sutter. In Germany two plays about Sutter were recently put on the stage and one of Germany's foremost writers, Stephan Zweig, wrote his "historical miniature" — as he calls it — *Die Entdeckung Eldorados*.

As is customary with many popular historical writers nowadays, Mr. Cendrars did not feel the necessity of stating his sources. He inserted a few documents, made one correct statement with every three wrong ones and created the impression that his work was based on actual facts. As a matter of fact, the book has been considered, outside of California, as a true picture of Sutter and his time.

It is self-evident that Cendrars could not possibly have invented all the strange incidents which he recites in his book, yet nobody knew where his source was to be found until Miss Emmy von Egidy, in the February, 1930, number of the German monthly *Der Kunstwart* uncovered it quite unintentionally. It is the account of the Swiss writer, Martin Birmann, whose name was well known as a friend of Sutter, but whose works can not be found in any of the large libraries in the United States.

In her article, "Das Gold als Räuber," Miss Egidy trims off the luxurious tendrils with which Cendrars' and Zweig's fertile imaginations had covered the picture of Sutter. Unfortunately she makes the mistake of asserting that Birmann is the only authentic source for Sutter's biography and that the two writers have used "unreliable and phantastic American sources." To be sure, in American books and periodicals there have been published many romantic accounts of Sutter, and Cendrars may have used some of them. But his principal source, outside of his somewhat obscene imagination² was doubtless Birmann's account. No one can deny that who compares his book with Miss Egidy's article.

Stefan Zweig, on the other hand, has used no "sources" at all. He has simply condensed Cendrars' story (giving the French writer due credit) and has let his fancy play to such a degree that there is actually nothing left of the historical Sutter.

¹ This was translated into English by Henry Longan Stuart, as *Sutter's Gold*, and published by Harper & Bros., 1926.

² Who thinks that my condemnation is too strong may open page 23 of the French, or page 11 of the English edition. There is an unquotable smutty verse given in German with Cendrars' statement that this verse is sung by the girls of Basel on the public streets.

The only sources which should be used by an historian — Sutter's correspondence, his papers and his memoirs; the contemporary written and printed material about him — lie well preserved but accessible to every student in Californian archives. All European writers who have occupied themselves with Sutter have disregarded these sources. But without using them no faithful story of the great pioneer can be written.

The Sutter myth must not be traced to "unreliable American sources," but to the confused account of Mr. Birmann. How this originated is easily explained.

Sutter was neither the pathological adventurer of Cendrars' and Zweig's stories, nor the idealistic hero whom Miss Egidy's sympathy creates. Only a common man is without reproach, a great man like Sutter cannot be imagined to be without faults. Contrary to Miss Egidy's opinion, he had a strong desire to win laurels on the battlefield and to become the dictator of California. He had threatened the latter long before he had the power to make good his threat. Neither was he "irreproachably honest," a quality which was hardly possible in those turbulent days. His greatest weakness, however, was the vanity from which all conquerors suffer. He boasted of his success more than was wise and sent over-optimistic reports to his Swiss friends. These men magnified them still further for the benefit of Sutter's fame and, entirely ignorant of the geography and the conditions in California, distorted his reports as well.

In this way originated the "only authentic source" which reports that on Sutter's property stand eight large cities, including San Francisco, and fifteen hundred villages, and that Sutter had the saw-mill at Coloma built because he wanted to put a fence around "his" village of Yerba Buena.³

ERWIN GUSTAV GUDDE.⁴

³ After this article had been printed Mr. Carl I. Wheat called my attention to an open letter of Blaise Cendrars to Harper & Brothers. In this letter, dated March 4, 1927, Mr. Cendrars admits his dependence upon Birmann's account, which he calls "the surest and most worthy of credence." He furthermore denies boldly all "historical errors," except one, and claims to have been "within his rights as a historian" to change historical facts to suit his purpose. A copy of this letter, together with the comments of Miss Eudora Garoutte, of the California State Library, thereon, is on file in the office of the California Historical Society. This letter can only confirm the belief that Mr. Cendrars is blissfully ignorant of the history and geography of California and that cheap sensationalism was his leading motive in writing the book.

⁴ [Professor Gudde has recently brought to light the fact that Sutter was born on February 23, 1803 (not February 28, the date usually given) at Kandern, in Baden, Germany, where his father, Johann Jakob Sutter, was a "Papiermeister" or foreman in a paper factory; and that his mother's maiden name was Christina Wilhelmina Stober. — Ed.]

REVIEWS AND NOTICES

John Marsh, Pioneer. The Life Story of a Trail-blazer on Six Frontiers. By George D. Lyman. New York: Charles Scribner's Sons, 1930. xiii+336 pp., illust., 8vo.

This book is a real contribution to the history of California, as it is to that of the other frontiers where John Marsh lived and worked. This is more than a complimentary statement; it points to a great field of material as yet little known in detail to most people, which Dr. Lyman has opened by a long, clean-cut furrow. He has given us a biography, drawn from original sources, of one of the hardy figures who won the West. In doing so he has given us an interesting and entertaining book, whether viewed from its historical aspects, or as a biography, or merely a tale of adventure. If one reads Dr. Lyman's Appendix, he will have unfolded another record of a great adventure. The many places in which the sources of this biography have been found, the many people who have been interviewed, and the pursuit of clues found in the correspondence and diaries, all point to the enjoyment, as well as the sense of achievement that must have come to the author as he followed the trail in its windings over the six vanished frontiers that knew John Marsh. He says of this process, "It has taken five years to locate, assemble and piece together the material thus collected. Even then it could not have been accomplished without the cooperation and assistance of the overseers of these collections." Surely those were five enjoyable years for the author, and fruitful, as we can observe from the results. And the Bibliography which is the larger part of the Appendix, and is combined with the notes, gives the reader a sense of silent partnership in the author's process of rounding out and vitalizing this biography of a sturdy pioneer, of giving us a human, not a mythical, picture of a man. And John Marsh was a man. He had very human failings and a very high type of human courage; he had vision; he had energy, and he was an individual combining all that New England and the frontier could teach. After reading this book you feel that you knew a man and you realize that he was an historical figure of importance in the history of California.

Dr. Lyman chose John Marsh from a group of early comers to California as the subject of a biography. Marsh was not the only man who had an adventurous career or a romantic one. It is to be hoped that Dr. Lyman may pick another man to present to his fellow citizens, using the same perseverance in following the record of his wanderings and the same faithfulness in putting into the record the human aspects of his motives, aspirations and achievements. And it is to be hoped that others may be encouraged by the success of Dr. Lyman's work, to step into this field, where there is such a wealth of material awaiting painstaking and systematic collection.

The history of California has been written largely around the striking episodes that have marked it. The personal aspects have suffered as a conse-

quence. Controversial figures like Frémont have had more attention and many like Marsh have had less than their relative importance deserved. The book is also a most interesting picture of the unfolding of a character under the varied and unusual circumstances and conditions that John Marsh met. As a study of a human life it should be of great interest to any reader, even if interest in the historical background were wanting.

ANSON S. BLAKE.

Up and down California in 1860-1864. The Journal of William H. Brewer, Professor of Agriculture in the Sheffield Scientific School from 1864 to 1903. Edited by Francis P. Farquhar. New Haven: Yale University Press, 1930. xxx, 601 pp., illust., 8vo.

The Whitney Geological Survey of California was an aftermath of the gold excitement and a forerunner of the United States Geological Survey. Methods employed by Whitney in California were later adopted by the Government. Hoffmann's system of topography, used subsequently by Clarence King, Gardiner and Gannett, was developed in the California surveys. In this sense the Whitney Survey was a pioneer and its members were pioneers in their respective fields.

William H. Brewer, nominally the botanist and principal assistant of the Survey, was in fact its chief field director. His letters show the high responsibility which fell to his lot and the able part he played in handling difficult affairs during the prolonged absences of Professor Whitney.

His travels took him by road and trail, over 14,000 miles in three years, across the length and breadth of the State. During this period he wrote to his brother a series of most unusual letters, telling almost everything that his keen, observant mind found of interest. He describes people, conditions, early towns, the progress of his work; records illuminating conversations and amusing incidents; interviews old-timers and sketches the eccentricities of his human and equine comrades.

With King, Gardiner and Hoffmann he was the first scientific explorer of the southern Sierra Nevada and his party produced the first reliable map of that region. He and his comrades were the first to climb many of the peaks and to measure their altitudes.

His letters, but recently brought to light, have here been arranged and edited with care and skill by Mr. Farquhar, who has added illuminating notes and illustrations. The whole constitutes a notable addition to the history of scientific exploration in this State, besides being a readable and enjoyable narrative.

CHARLES L. CAMP.

Nuevos Documentos ineditos o muy raros para la Historia de Mexico, publicados por Carlos E. Castañeda. Tomo II (see title below) — Mexico, D. F.: Talleres Graficos de la Nacion, 1929. 215 pp. Tomo III (see title below) — San Antonio, Texas: Casa Editorial Lozano, 1930. 269+[17] pp.

All scholars interested in the history of Mexico are acquainted with the

Documentos inéditos ó muy raros para la Historia de Mexico. The series comprises some thirty-six volumes edited by the late Genaro Garcia. Not only was Señor Garcia the editor but he was also the owner of many, if not all, of the manuscripts which were published. The breaking out of the revolution interfered with the continuance of the series, but in 1913 Señor Garcia began another series — *Nuevos Documentos*. Only one volume was issued, as the disturbed conditions in Mexico and finally the ill health and ensuing death of Señor Garcia prevented any more from being issued. He left an immense mass of manuscript material, chiefly the correspondence of individuals who had been more or less prominent in public affairs, which finally passed into the possession of the University of Texas. It is now proposed to continue the series he began in 1913 and publish the most interesting part of this, and already two volumes have appeared. Mr. C. E. Castañeda, who is in charge of the Garcia Collection, is editing the volumes as they appear. He is a competent scholar and at home in both the Spanish and English languages, so there is every assurance that the work of editing and printing will be well done.

The volumes so far issued are:

Tomo II — Historia de todos los Colegios de la Ciudad de Mexico desde la Conquista hasta 1780 por el Dr. Felix de Osoreo.

Tomo III — La Guerra de Reforma segun el archivo del General D. Manuel Doblado 1557-1860.

The *Quarterly* congratulates the University of Texas on the enterprise displayed in resuming the publication of the important documents in their possession. It is to be hoped that the reception accorded these volumes will be sufficiently flattering to encourage continuance of the work.

H. R. WAGNER.

WESTERN HISTORY

A Check List of Recent Publications Relating to California and the West*

ANONYMOUS

Caledonia Inn at Mission San Miguel. San Luis Obispo *Daily Telegram*, Oct. 27, 1930. [An effort is being made to save this historic adobe house which is on the proposed route of a new highway. To prevent the destruction of this landmark send letters of protest to the State Highway Commission.]

BAHMER, ROBERT H.

The Colorado gold rush and California. *The Colorado Magazine*, Nov., 1930, pp. 222-29.

BECHDOLT, FREDERICK R.

Giants of the old West. New York: Century Co., 1930. 245 pp., illust., maps, 8vo. [A chapter is devoted to J. A. Sutter.]

BELL, MAJOR HORACE

On the old west coast. Being further reminiscences of a ranger. Edited by Lanier Bartlett. New York: William Morrow & Co., 1930. xiv, 336 pp. illust., 8vo.

BENNETT, ESTELLINE

Old Deadwood days. New York: J. H. Sears, 1928. 300 pp., illust., 8vo.

BORLAND, HAL

A forgotten giant of the West. *The Oregonian*, Portland, Ore., July 27, 1930, and syndicate newspapers. [The career of Jedediah S. Smith.]

BRANCH, E. DOUGLAS

Westward. The romance of the American frontier. New York: Appleton & Co., 1930. 597 pp.

BREWERTON, GEORGE D.

Overland with Kit Carson, a narrative of the old Spanish trail in '48. Edited by Stallo Vinton. New York: Coward-McCann, Inc., 1930. ix+301 pp., illust. and fold. map, 8vo. [A vivid narrative, originally published over seventy years ago in *Harper's Magazine*. With notes and a valuable introduction by the editor, who is a member of this Society.]

CASTRO, JOSÉ

Reply to Commodore Stockton, August 9, 1846. *The Westerner* (Campbell, Calif.), August, 1930. [From the Forbes Documents in the Frederick Clift collection.]

CRANDALL, ANDREW W.

The early history of the Republican party, 1854-1856. Boston: The Gorham Press, 1930.

CREEER, LELAND HARGRAVE

Utah and the Nation. Seattle: University of Washington Press, 1929. 275 pp.

* Readers will confer a favor by furnishing out-of-the-way items for notice in this department. We shall cite books, pamphlets, broadsides, magazine and important newspaper articles of historical value. Send to the Secretary of the Society the items themselves or a card with the title written in the form used here.—Charles L. Camp.

DRESSLER, ALBERT

California's pioneer mountaineer of Rabbit Creek [James Thomas Mason].
Campbell, California: *The Westerner*, 1930.

FORREST, EARLE R.

Missions and pueblos of the old Southwest. Their myths, legends, fiestas,
and ceremonies, with some accounts of the Indian tribes and their dances;
and of the penitentes. Cleveland: Arthur H. Clark Co., 1929. 275 pp.,
illust., large 8vo.

GIFFORD, EDWARD W., and HARRIS, GWENDOLINE B. (comp. by)

Californian Indian nights entertainments. Stories of the creation of the
world, of man, of fire, of the sun, of thunder, etc.; of coyote, the land of
the dead, the sky land, monsters, animal people, etc. Glendale, California:
Arthur H. Clark Co., 1930. Illust., large 8vo.

GOODWIN, CARDINAL

John Charles Frémont, an explanation of his career. Palo Alto: Stanford
University Press, 1930. 285 pp.

GRAVES, CHARLES S.

Lore and legends of the Klamath River Indians. Yreka, California: Times
Press, 1929. 137 pp.

GRAVES, JACKSON A.

California memories (1857-1930). Los Angeles: Times-Mirror Press, 1930.
330 pp., illust., roy. 8vo. [Further reminiscences by the author of *My
seventy years in California*.]

HEBARD, GRACE RAYMOND

Washakie. An account of Indian resistance of the covered wagon and
Union Pacific Railroad invasions of their territory. Cleveland: Arthur H.
Clark Co., 1930. ca. 400 pp., 7 maps, 22 plates, large 8vo.

HILL, LAURANCE L. and PARKS, MARION

Santa Barbara, tierra adorado. A community history. Los Angeles:
Security-First National Bank, 1930. 112 pp., illust. [One of a series of
historical pamphlets issued by the bank.]

HOLMES, ROBERTA E.

The southern mines of California: early development of the Sonora mining
region. San Francisco: The Grabhorn Press; privately printed, 1930. 60
pp., pls. and fold. map, small fol. [Concisely written and beautifully
printed in an edition of 250 copies. Miss Holmes is the daughter of Mr.
Harold C. Holmes, a member of this Society.]

JAEGER, EDMUND C.

Denizens of the mountains. Springfield, Illinois: Charles C. Thomas, 1929.
xiv, 168 pp., illust.

KELLY, CHARLES

Salt desert trails. A history of the Hastings Cutoff. Salt Lake City: Shep-
ard Book Co., 1930. [Mr. Kelly has most carefully followed the old trails.
He claims to have discovered remains of the wagons of the Donner party in
the Salt Desert.]

LAUT, AGNES C.

The Romance of the rails. New York: Robt. M. McBride Co., 1929. 2
vols. 307 and 312-590 pp., illust.

MCARTHUR, HARRIET NESMITH

Recollections of the Rickreall. Portland, Oregon, 1930. 24 pp., illust.

MONNETTE, ORRA EUGENE

A short account of Don Felipe de Neve, Spanish Governor of California and founder of the City of Los Angeles, 1781. Los Angeles: privately printed, 1930. 11 pp., 8vo. [Neve was noted as the author of "Reglamento para el gobierno de la Provincia de Californias" which Mr. Monnette calls the "first written constitution of the State."]

MOUNTAIN DEMOCRAT

Placerville, old Hangtown of '49. *Mountain Democrat*, Placerville, Calif., 1930. [Seventy-fifth anniversary souvenir edition.]

NEWMARK, MAURICE H., and MARCO P.

Census of the City and County of Los Angeles, California, for the year 1850. Together with an analysis and an appendix. Los Angeles: Times-Mirror Press, 1929. 139 pp., illust., large 8vo.

NUNN, GEORGE E.

Origin of the Strait of Anian concept. Philadelphia: privately printed [200 copies], 1929. 36 pp., 8vo.

PAGE, ELIZABETH

Wagons west. A story of the Oregon trail. New York: Farrar & Rinehart, 1930. 330 pp., illust.

PAXSON, FREDERIC L.

When the West is gone. New York: Henry Holt. 137 pp. [An essay.]

PICO, PIO

Letter to Vice Consul Forbes, June 29, 1846. *The Westerner* (Campbell, Calif.), July, 1930. [From the Forbes Documents in the Frederick Clift collection.]

RANDOLPH, EDMUND

Before the days of gold. A review of California History from its discovery to 1849. In *Motorland*, April to August, 1930. [A reprint of Randolph's well-known address before the Society of California Pioneers, September, 1860.]

READ, J. MARION

A history of the California Academy of Medicine, 1870 to 1930. San Francisco: Grabhorn Press; copyright by the Academy, 1930. 186 pp., illust., large 8vo.

RESTARICK, HENRY B.

The Discovery of Hawaii. Gaetano did not discover Hawaii, nor did the Spaniards know of the existence of the Hawaiian Islands before Captain James Cook discovered them in 1778. [n.p., n.d.] 29 pp. [A paper read before the Hawaiian Historical Society in 1926. The author is president of the Society.]

STABAEK, TOSTEN KITTELSEN

An Account of a journey to California in 1852. *Studies and Records*, Norwegian-American Historical Association, Vol. 4, 1929. [The translation is by Einar J. Haugen.]

STEELE, JOHN

Across the plains in 1850. Edited with introduction and notes by Joseph Schafer, Superintendent of the State Historical Society of Wisconsin. Chicago: Caxton Club, 1930. 234 pp., illust.

STEVENS, TERRY G.

Caminos Viejos; Tales found in the history of California. Santa Ana, Calif.: Press of the High School, 1930. [2d ed.]

SYKES, H. S. [Editor]

Tombstone [Arizona] Epitaph. Fiftieth Anniversary Edition, October 15, 1929. [An interesting number of a remarkable newspaper.]

WESTERGAARD, WALDEMAR [Editor]

Diary of Dr. Thomas Flint, California to Maine and return in 1851-1855. [Hollister, Calif.: The Evening Free Lance.] 113 pp., 10mo. [This diary originally appeared in the Annual Publication of the Historical Society of Southern California and was reprinted in the *Evening Free Lance*.]

WILLARD, JAMES F. and GOODYKOONTZ, COLIN B. [Editors]

The Trans-Mississippi West. Boulder: University of Colorado, 1930. 366 pp. A collection of 16 papers relating to the region west of the Mississippi read at a conference at the University of Colorado June 18-21, 1929. Includes "Defensive Spanish expansion and the significance of the borderlands," by Herbert E. Bolton; "Nicolas Point, Jesuit Missionary in Montana of the forties," by Gilbert J. Garrahan; "Protestant home missions and education in the Trans-Mississippi West, 1835-1860," by Colin B. Goodykoontz; "Undeveloped factors in the life of Marcus Whitman," by Archer B. Hulbert; "Hand cart migration across the plains," by Le Roy R. Hafen; "By sea to California," by John C. Parish; "Trails of the Trans-Mississippi cattle frontier," by Louis Pelzer; "The Conquest of the pioneer," by Percy H. Boynton; "The plains Indian in literature and in life," by Walter S. Campbell; "The American picaresque: a by-product of the frontier," by Lucy L. Hazard; etc.

WOOD, JOHN H.

Seventy-five years of history of the Mechanics' Institute of San Francisco. San Francisco: Published by the Institute. 48 pp., illust.

MEETINGS OF THE SOCIETY

The Society held a luncheon meeting on Tuesday, September 23, 1930, at the Clift Hotel. Mr. Ernest A. Wiltsee spoke on the subject, "The Pioneer Miner and the Pack Mule Express." After giving a brief but comprehensive description of the mining regions in relation to the remainder of California, the speaker told of the life and methods of mining of the early comers. This summary is necessarily too brief to make more than a reference to this part of the paper, which should be read to do it justice, as every sentence was essential to the picture. With this as a background he offered as a contrast to the rapidity of movement of the gold seekers, the slow movement of governmental agencies in providing means for handling and distributing mail. Naturally, the miners, living as they did and far from home ties, valued the news from home above anything else. They could not run down to San Francisco to pick up their mail, and they gladly offered liberal pay to anyone who would make the tedious journey.

The demand was promptly met, and in many localities the crude beginnings of what afterwards became the extensive system of express service that covers the West, sprang up. Gradually, standardization of methods spread and soon the franks of many firms became known to the miners. Mr. Wiltsee gave quite a list of these early firms and the localities they served. As communities became more stable and post office service spread they either abandoned their routes or were absorbed into the larger organizations until the need for such service passed as did the placer mining era.

In closing, Mr. Wiltsee spoke feelingly of the shadows that remain of the towns that were served by these pioneers of the express business.¹

Sixty-two members and guests were present at the meeting.

On Tuesday, October 21, 1930, the Society held a luncheon meeting at the Clift Hotel. Dr. Ralph W. Chaney addressed the meeting on "Prehistoric California." He described the succeeding climatic changes of eocene and miocene epochs with the consequent changes of flora. In the earlier period the climate was sub-tropical in temperature and the rainfall much heavier than we are accustomed to see. During this period the Sequoia forest and its concomitants covered an area stretching far east and north of the present limits, and even into continental Asia. At the present time the type of vegetation that accompanied this forest is to be found in Central America. Dr. Chaney spoke of a recent trip to the Canal Zone, where he had found a number of similar species.

In the later epoch, which was drier, the characteristic forest of our Sierran foothills and interior Coast ranges, made its appearance. The speaker mentioned an instance of a very recent visit to an old drift mine in California, where he had found the impression in the shales underlying the lava cap, of a black oak leaf, that matched exactly those of a tree growing at the mouth of the shaft.

¹ It is hoped that the Society may be able in the near future to publish Mr. Wiltsee's address as one of its series of separate publications.—Ed.

The prototype, however, was buried from ten to twenty million years ago.

There were about fifty members and guests present.

ANSON S. BLAKE.

On Tuesday, November 25, 1930, the Society held a luncheon meeting at the Clift Hotel. Mr. Carl I. Wheat addressed the meeting on "The Post Gold-Rush Era in California." Mr. Wheat's remarks were brief and the greater part of his address consisted in reading excerpts from the admirable and interesting Diary of Charles E. De Long now appearing in the Society's *Quarterly*.

Mr. De Long's diary is a great find and a most important contribution to the actual life in the mining regions of the early period. He was in the center of the movement. He early started as a collector of taxes on foreigners. He engaged in mining, and in storekeeping at the mines, which in those days was a most colorful experience. He joined the "E Clampus Vitus Society"; he formed a Thespian Club, which presented plays at the local theaters in the long winter evenings. He engaged in almost every conceivable pursuit that attended mining life in the now so far-off days. He even gambled. Sometimes he drank too much, or danced all night at rollicking balls.

But above all, with a sincerity and honesty beyond reproach he placed in his record all the events of that early period, which makes his diary one of the most valuable records of those early days whose actual events are so nearly lost, and of whose records there are unfortunately too few. In fact, in the belief of the writer, there is none which compares with it.

Mr. Wheat is to be greatly congratulated, and the Society also, in having discovered and rescued for posterity such a wonderful record of the early mining life and the days that followed it. His presentation shows great care and much study of a period now so difficult to present in its fullness.

About forty-eight members and guests were present at the meeting.

ERNEST A. WILTSEE.

NEW MEMBERS

Patron

Ehrman, Mrs. Sidney M., San Francisco

Active

Chamberlain, Mrs. Willard, San Mateo

Collins, Rev. Richard, San Francisco

Fricot, D., Angels Camp

Glassell, Steve A., Beverly Hills

Power, Mrs. E. Barnum, San Francisco

Shiels, Archie W., South Bellingham, Wash.

Standish, Miles, San Francisco

Vinton, Stallo, New York City

Williams, Mrs. Francis, San Francisco